

REPORT

OF THE

Committee on the Judiciary, General,

OF THE

SENATE OF PENNSYLVANIA,

IN RELATION

To the Anthracite Coal Difficulties,

WITH THE

ACCOMPANYING TESTIMONY.

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HARRISBURG:

B. SINGERLY, STATE PRINTER.

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# Committee on the Judiciary

Report of the Committee on the Judiciary, in response to a resolution of the Senate, passed March 2, 1871, relating to the removal of judges of the Supreme Court of the United States.

## CHAPTER OF PRESENTATION

The following report of the Committee on the Judiciary, in response to a resolution of the Senate, passed March 2, 1871, relating to the removal of judges of the Supreme Court of the United States, is presented to the Senate.

## To the Senate of the United States

The Committee on the Judiciary, in response to a resolution of the Senate, passed March 2, 1871, relating to the removal of judges of the Supreme Court of the United States, has the honor to submit to the Senate the following report.

## APPROPRIATE TESTIMONY

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John F. Hastings

## PRELIMINARY REPORT.

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Mr. DAVIS, from the Committee on Judiciary, (General,) to which was referred the subject of coal freights, &c., made a preliminary report, which was read as follows, viz:

The Committee on the Judiciary, (General,) to whom was referred the message of the Governor and opinion of the Attorney General on the right of railroad companies to charge exorbitant rates of freight, having progressed with the investigation by the examination of many witnesses, and having as yet reached no final results, but impressed with the grave importance of the whole subject and the difficulty in the way of its adjustment by statutory enactments, and desiring to lead the minds of the public and of those directly interested into thoughtful consideration of a settlement of the troubles by the voluntary action of those who are now at variance, respectfully beg leave to make this preliminary report, expressly reserving all questions of law and fact for settlement and report at the close of the investigation, which is to continue until all the evidence shall have been heard and arguments of counsel made.

The present difficulties in the anthracite coal region are but an incident of the great war that for hundreds of years has been waged between labor and capital. Labor has deemed it hard that the hardest work and hardest fare generally go together. That those who toil most often earn least; that in the distribution of fortune's gifts unceasing labor is imposed upon some, while others are indulged with life long ease and luxury. It seems hard to delve and plow and sow and reap, while the harvest is gathered into other's barns. The great practical difficulty is the alleged inadequacy of the share which, in the partition between labor and capital, of their joint produce, falls in the shape of wages to the former. The natural dissatisfaction produced by this real or supposed inequality of partition is sometimes intensified by the unwise interference of demagogues to promote their own selfish ends, without one throb of genuine feeling for those whom they seek to cajole. Such men work only unmixed evil by stimulating and perpetuating prejudice and hatred, when kindness and conciliation should be the aim of all.

When working in harmony, capital and labor are mutually beneficial, and lay each other under reciprocal obligations. If labor be the parent of capital, capital in turn becomes the foster mother of labor, contributing in large measure to the combined productiveness. If the profit of capital is the product of labor, so in turn the wages of labor are the product of capital. But when labor and capital are in a state of chronic antagonism, these mutual benefits are entirely lost sight of, and as the motives of both are hostile, so neither can see in the acts of the other anything but injury, and during the long and exhaustive war such visions were not always deceptive.



The only method of settling disputes was the barbarous one of force, each party seeking to starve the other out. The employer hoped that by stopping the works for some time the men would be finally compelled, by hunger and want, to accept his terms. The men, on the contrary, hoped to stop work so long that the employer would be compelled to accede to their demands to avoid great pecuniary loss or total ruin. Bankruptcy threatened the manufacturer and operator, and starvation the workmen. But the victories gained by either party were only temporary. With renewed energies the struggle was re-commenced with increased bitterness and the thirst of vengeance for forced submission.

During the years of conflict waged on these principles, capital had gradually developed its capacities, and was extending and consolidating its sway, and its energies were daily concentrating in fewer hands. Capital is in itself aggregation, association, combination. But, as in human affairs, extremes always meet, and action is always met by re-action, so the seemingly resistless preponderance of associatal capital suggested to labor the remedy in the form of organized combination. Hence, trades unions and workmen's benevolent associations. The right of labor to combine is no longer an open question. If any individual workman be at liberty to refuse work except on his own terms, any number of workmen must be equally at liberty collectively to refuse to work except on terms to which, after consulting together amongst themselves, they may have collectively agreed. Men may combine to any extent, *provided they use none but lawful means, and aim at none but lawful ends.*

Thus we have now the two armies of labor and capital completely marshalled, fully equipped and ably commanded. Shall there be permanent peace or war, antagonism or alliance? To quote an eminent economist, "capital may encroach on labor, labor may in its madness destroy capital, such is the work of prejudice and evil passions. But however far such a strife may be carried, it can only result in mutual injury, and health can only be restored by obtaining the recognition of the full rights and obligations of each. The condition of well-being is peace. A false philosophy has set the world at war for ages, proclaiming that what one nation gains another must lose. Akin to it is the belief that hatred and retaliation are the normal conditions of capital and labor, that mutual distrust and hurtfulness are inevitable in all the developments of industry. Such a belief blasphemes the harmonies of Providence."

Has not the time then arrived, when prudent and reasonable men of each and every interest should hush the voice of passion; and refusing to listen longer to violent counsels, endeavor with all their might to devise means of escape from the difficulties of the situation and from the dangers which threaten, not only from within but from without? We believe if this disposition exists, the experience of other people may indicate a system which will afford not temporary only but permanent relief. For five hundred years England, with occasional lulls, has suffered from bloody and ruinous conflicts between labor and capital. The first great strike on record occurred among the men employed in building Windsor castle. They left their work and scattered over the neighboring counties, but were soon brought back by force, in obedience to the peremptory mandate of King Edward, and savage punishment, in one instance death, was inflicted on the leaders. And so the vicious system of force and partial legislation went on for centuries, but failed to bring success to either side, and only in our own age did it occur to the people and statesmen of that country, that the only wise thing for the legislature to do was to stand aside and allow the rate of wages and conditions of labor to be settled by those most interested.



In the meantime, millions of money had been wasted, not a little blood spilled, and ruin and misery threatened every part of the country. At length, wise men of both parties sought and formed another and a better system. Boards of conciliation and arbitration were established, the credit being due, in a great measure, to Mr. A. J. Mundella, formerly a working-man himself, and now one of the largest employers in England; and in this way capital and associated labor were brought into kindly and harmonious relations to each other. The general need for this was so greatly felt in that country a few years ago, a royal commission was appointed to examine into the working of trades unions, and to suggest improvements in the laws relating to them, and the relations existing between workingmen and employers. The commission consisted of ten gentlemen of prominence, sat two years, and received evidence not only from all parts of the united kingdom, but from all quarters of the world. They concluded their report by saying, "that the question as to what is a fair rate of wages in the varying circumstances of trade, from time to time, is one very difficult of adjustment between employers and large bodies of workingmen. The strike is a very hard method of settling such a question, and it is much to be wished that some plan could be devised, mutually satisfactory to workingmen and employers, in the settling of questions of dispute in such matters. The establishment of boards of conciliation seems to offer a remedy at once speedy, safe and simple. These boards require no complex machinery, no novel division of profits, no new modes of conducting business, no acts of Parliament; all needed is that representative workingmen and employers should meet at stated times and amicably discuss the interests of their common trade or business. There is not a trade or business in the kingdom in which this system might not be adopted; and we see no reason why, in every case, results should not flow from them as satisfactory as those in Nottingham. Under such a system we should look for a peaceful and prosperous condition of labor in this country, and if this commission should have no other results than calling attention to this simple method of settling the frequent disputes between workingmen and their employers, we shall feel that our time will not have been lost in the inquiry."

How these boards of conciliation and arbitration originated, how they are constituted and how they work, was well described by Mr. Mundella in an address delivered by him last November in New York, from which we beg leave to quote as follows:

"Ten years ago, in the town in which I reside, and in the trade with which I am connected, we had the third strike in one year. This last one had continued for eleven weeks. Of course the men who were at work subscribed to the branch 'on strike,' and it was seriously contemplated whether the proper thing to do would not be to close all the factories in order that those in employ should not add to the duration of the strike by aiding those out of employ. A few of us were heartily sick of this state of things, and resolved to try if some means could not be devised not only to put an end to the strike but to prevent its recurrence in the future. We had a fearful history of conflict to increase our difficulties; we had old hatreds, old feuds dating from the beginning of the century. The neighborhood was one proverbial for its quarrels between capital and labor. When machinery was introduced to aid labor, labor rebelled, 'frame-breaking' was the order of the day, and rose to such a disastrous height that parliament passed a law making the destruction punishable by death. The death penalty was inflicted on six men at one time for 'frame-breaking' in my town. Strikes had continued all along until 1859. We called the workingmen together, or their representatives rather, and we said to them: 'You are all wasting



your funds in fighting against us; when you should be making money you are squandering it, and when the time comes that your labor is not in demand your employers will take that opportunity to oppress you.' We agreed to form a board of arbitration and conciliation, and we discussed the question for three days, with a great deal of mutual hostility and a great deal of strangeness of feeling to find ourselves in the same room with the leaders of the trades unions. However, some of us were resolute and carried it. We constituted a council to consist equally of employers and employed. The trades unions were to elect seven members by universal suffrage in their bodies, and the manufacturers their seven in the same way. These gentlemen were to meet in some public room—the room of the chamber of commerce, indeed it was—and around a common table, and meet not only when there were disputes but to prevent disputes, periodically, not less than once a quarter, and discuss questions of labor, all in fact affecting the relations of employer and employed. We then employed a committee of inquiry, two of each of our respective parties, who should hear privately any quarrel in the initiative state, and if possible crush the thing out there. Well, you may judge under what feelings we entered the room the first time, seven employers and seven men regarded as their bitterest enemies. However, courtesy and kindness begat a reciprocal feeling, and we commenced by electing a president. I was elected the first president, and we elected a workingman vice president in order that we might not be outdone in courtesy by the workingmen. I have sat for ten years at the head of that table, and that same workingman, as vice president, has sat at the other end. We elected a secretary from each party, and we have kept a record of our proceedings from that day to this. We have had some very tough arguments and difficult times to pass through—a great deal of what workingmen in England call 'jaw.' However, it is a great deal better than those long struggles and bitter animosities that used to exist between us. We have never lost one day's labor from that day to this. The change that has come over the spirit of the neighborhood is remarked throughout England; and, thank God, the hatchet is so buried that if dug up to-morrow it would be too rusty and rotten to be used. Well, we continued patiently on our way with our experiment. Some of the employers of the other towns would not have anything to do with it. 'What!' they said, 'sit down with the trades union leaders—never, never.' However, we told them the trades union leaders had enlightened us on some questions, and on some we had enlightened them. Gradually they fell in until all the unions and all the employers are in, and we are all homogenous. If we are in a particularly tight place—a difficulty which we cannot settle—both parties agree upon an impartial umpire, whose decision is final. This has only occurred once with us, when a reduction of wages was deemed absolutely necessary and just by the manufacturers, and the unions would only agree to half the reduction. An umpire was called in, and he split the difference between us. What happened? One section of one union said: 'We will not stand it, we will strike.' They tried to get the other men to strike. 'What!' they said, 'call in an umpire and not abide his decision!' and the result was the workmen kept faith and every man went back to his work. Finding our system worked so well, other trades followed our example. The first was the lace trade, and they have had no strike since. Then the Staffordshire potteries and they report enthusiastically of it. Last of all, after eleven months of a terrible strike among the iron workers, which reduced the people until they were without beds or furniture, sleeping on straw, their children bare-foot, the women having sold the children's shoes to get bread to maintain the strike, all on the verge of starvation—through the warm, earnest advocacy



of a good Quaker friend they adopted the same thing. What happened? They have worked without a day's cessation from then to this time. Once since they had occasion to call in Judge Eckel as an umpire, and after he got to them, concluded they could settle their dispute amicably among themselves, and did so without his intervention. Again, my friend Mr. Hughes was called upon to act as umpire in a question of vital interest to the whole Cleveland district. The second day of the argument before him both parties were reasonable. In half an hour then all was settled; they had agreed upon the rates of wages for the succeeding year. In the building trades—the carpenters and builders—of which Mr. Garth is the head, there are more than twenty boards of arbitration at work in the different towns of England. In some there is a composite board of plumbers, stone masons, carpenters, etc., who sit down together once a quarter or once a month, and by talking things over like men and christians, with a kindly feeling towards each other, they arrive at a proper solution of all their difficulties. And now, gentlemen, I have explained to you what this is, and it is very simple, and something which can be introduced everywhere. What can be done in old England, can be done in New England, and what can be done in either can be done in the iron and coal districts of Pennsylvania, or any where else."

The following additional testimony in favor of this system is from a speech delivered by Mr. Morley, a large manufacturer, at a meeting of the National association for the promotion of social science in England, held in 1868, and largely attended by employers and working men.

Mr. Morley said: "I arise to express my conviction of the exceeding great value of arbitration. It is no mere dilettanteism, it is sound, honest grappling with a great difficulty. Our firm employs four thousand persons, and therefore, I am personally and practically interested in the matter. As the result of an experiment of eight years, we are now working in the most perfect harmony with our employees. Twenty-five years ago our machinery was in danger and our trade was subject to constant interruptions from differences between us and our work people; and, worse than either, there was a feeling of bitterness between employers and employed of which we now know nothing. So far from the men feeling any prejudice, or thinking that any advantage was taken by them, I venture to say that among the thousands of working people who have submitted to the decisions of the board of arbitration in Nottingham, there are not fifty who do not regard it as existing in their interest and as one of the greatest blessings ever conferred upon them. Nothing in this movement touches either the existence of trades unions or the right to strike. Having been accustomed, as a manufacturer, to act with my brother manufacturers, I will say, if you please to combine with them, I claim for the workmen equal right to do the same. It is the abuse of trades unions against which I protest. Men have the right to meet and to sell their labor, as the result of their conference, for the highest price they can get.

"If it should be objected that boards of arbitration might break up trades unions, and thus eventually leave the men without organization to protect themselves in case employers refused to be bound by the decisions of a board of arbitration, the answer is that without a union of some kind, boards of arbitration could not be organized and kept working. The union represents the men just as boards of trade, etc., represent operators and employers.

"It would be difficult to introduce boards of arbitration in any district where no union of any kind existed among the workmen. Besides, this system is advocated by almost every trade union in England.



"At the meeting in 1868, already referred to, William Green, chairman of the Birmingham trades council, said that conciliation alone would not remedy existing evils. He could not understand so many men meeting and discussing points at issue, unless they had some mode of finally settling the matters in dispute, and therefore he took it that arbitration, properly applied and conducted, was not arbitration enforced by act of Parliament, with a judge legally appointed, but arbitration in which there was mutual selection of a gentleman to act as umpire, and that he was very much in favor of. So far as his experience went, working men, as a class, were much more ready for arbitration and conciliation than employers were.

"On the same occasion, Mr. Wilkinson, secretary of the United glass trade society, said: 'One of the leading ideas of arbitration was the cultivation of a conciliatory spirit between the parties concerned. Therefore he felt convinced that the voluntary plan advocated by Mr. Mundella was far preferable to the plan that could be legally enforced. Arbitration was not only important as regarded a settlement of immediate disputes, but it was also important in that it promoted better feelings between employers and workmen. It led the master to acknowledge that the workman had a right to discuss disputes on an equal footing with his employer.'"

And now, in view of the immense interests in Pennsylvania and elsewhere, depending upon the steady and harmonious working of the anthracite coal trade, the committee are of the opinion that a system which has produced such valuable results in England, should be given an immediate trial by its application to the entire anthracite coal region.

J. D. DAVIS, *Chairman*,  
ROBERT P. DECHERT,  
R. BRUCE PETRIKIN,  
HARRY WHITE,  
ARTHUR G. OLMSTED.



# REPORT.

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Mr. DAVIS, from the Committee on the Judiciary, (General,) to whom was referred the following resolution, viz :

“*Resolved*, That the message of the Governor, with the opinion of the Attorney General as to the power of railroad companies to impose exorbitant freights on anthracite coal, be referred to the General Judiciary Committee, with power to send for persons and papers, and report to the Senate by bill or otherwise as speedily as possible,” made a report, which was read as follows, viz :

That the above resolution sprang from the derangement of the labor system in the anthracite coal regions, and the consequent action of the railroad companies in raising their rates of freight. It was founded upon what your committee think was a total misconception, as well of the power of the Legislature, as of the true policy to be pursued in such cases, for statutory enactments could only be based upon a judicial determination of disputed facts, and a forced adjustment would only aggravate the evil. Under the plain spirit and purpose of the resolution, the questions submitted were purely legal ones, and as such they have been treated by us. They are :

*First*.—Have the railroad companies by charging their present rates of freight violated their charters?

*Second*.—Does the action of those companies in regard to freights, amount to an abuse of their privileges under their charters?

On the first question :

The Reading railroad company are authorized by the twentieth section of their charter, to adopt such rules and regulations in relation to the transit of merchandize, &c., as they may deem expedient : *Provided*, That the toll on any species of property shall not exceed an average of four cents per ton per mile. The Supreme Court of Pennsylvania, in the case of *Boyle vs. the Philadelphia and Reading railroad company*, 4, P. F. S., 318, decided that the proviso in the above section, restricting tolls to four cents per ton per mile, referred only to a charge upon others for the use of the road bed, and that the company were permitted by their charter to charge in addition for the use of their cars and motive power, such rates as to them might seem reasonable and proper. Controlled by this decision of the Supreme Court, the committee report that the Reading railroad are not exceeding the maximum rates allowed to be charged by their charter.

Besides the Reading road, the investigation embraced the charges made by the following roads, to wit :

The Lehigh Valley, the Delaware, Lackawanna and Western, the Lackawanna and Bloomsburg, and the Lehigh coal and navigation company's road. These roads have all, by various supplements to their original charters, been brought under the provisions of the general law of the 13th of February, 1849, which provides, *inter alia*, as follows, by the eighteenth section :



“Upon the completion of any railroad authorized as aforesaid, the same shall be esteemed a public highway for the conveyance of passengers and the transportation of freight, subject to such rules and regulations, in relation to the same, as to the size and construction of wheels, cars and carriages, the weight of loads, and all other matters and things connected with the use of said railroad, as the president and directors may prescribe and direct: *Provided*, That the said company shall have the exclusive control of the motive power, and may, from time to time establish, demand and receive such rates of toll, or other compensation, for the use of such road and of said motive power, and for the conveyance of passengers, the transportation of merchandize and commodities, and the cars or other vehicles conveying the same, or otherwise passing over or on the said railroad, as to the president and directors shall seem reasonable: *Provided however nevertheless*, That said rates of toll and motive power charges, so to be established, demanded or received, when the cars used for such conveyance or transportation are owned or furnished by others, shall not exceed two and one-half cents per mile for each passenger, three cents per mile for each ton of two thousand pounds of freight, three cents per mile for each passenger or baggage car, and two cents per mile for each burden or freight car, every four wheels being computed a car; and in the transportation of passengers, no charge shall be made to exceed three cents per mile for through passengers, and three and a half cents per mile for way passengers.”

It will be observed that this act allows three cents per mile for each ton of two thousand pounds to be charged, and, in addition, two cents per mile for each freight car, every four wheels being computed a car; and this when the cars are owned or furnished by others. It was testified that each car carried at least five tons of two thousand two hundred and forty pounds, which would make the charge allowed by the act amount to four and sixteen-hundredth cents per mile per ton.

As it appeared from the evidence that these companies are charging four cents per mile per ton, they do not appear to be exceeding the maximum rates allowed by the act of 1849.

The attention of the committee was called to a charge made by the Lackawanna and Bloomsburg road of two dollars for carrying a ton of coal nine miles. It is alleged, by the company, that the limitation of four and sixteen-hundredth cents per ton per mile is confined to freight carried in cars of others, thus leaving them at liberty to charge what they choose when carrying in their own cars. But your committee are of opinion that this charge cannot be justified under the terms of the law.

*Secondly.*—Have the railroad companies, by charging their present rates of freight, abused the privileges conferred by their charters?

An inquiry into this question, to be of any practical value, should have emanated from the law officer of the Commonwealth, through her writ of *quo warranto*, and any recommendation from the Legislature to the Executive on this subject, or any action by us without such inquiry, would have been beyond our power, and an interference with the duties of the executive branch of the State government.

It is well settled, by precedent and authority, that in such cases judicial investigation and determination must precede legislative action. The Supreme Court of Pennsylvania, in the case of the Commonwealth vs. the Pittsburg and Connellsville railroad company, 8 Smith, 46, Judge Sharswood, delivering the opinion of the court, declares: “That the Legislature is not the final judge of the fact of misuse or abuse upon which their power to revoke is conditioned. If this were a contract between man and man it could not be pretended that when one party reserves the power to rescind



in a certain event he is thereby constituted the judge of whether the event has occurred. It is a condition precedent to the exercise of the power, and the party claiming it must prove affirmatively the existence of the fact. What difference does it make that the State is one of the parties? She has entered into this contract through the Legislature, and in the decision of all questions of fact which may arise upon it the Judiciary department must be invoked as in other cases. The power of the Legislature in grants and contracts is not like the power of the English Parliament. It is limited and restrained by the provisions of the Federal and State constitutions, so that it cannot impair contracts either made by itself or others. It corresponds more properly to the English Crown, as to which it is certainly the established law of that country that the King cannot derogate from his own grant, and when an express power is reserved in a certain event, or upon certain conditions, it must be proved affirmatively that the event has occurred or the condition been fulfilled. The current of American authorities sustain this doctrine."

In the Circuit Court of the United States, for the Western circuit of Pennsylvania, in the case of the Mayor, &c., of Baltimore *vs.* the Connellsville and Southern Pennsylvania railroad company, the court decided "that if in an act of incorporation the Legislature of a State retains the right to revoke in case the corporation should misuse and abuse its privileges, the fact of such misuse, if denied by the corporation, should be established by competent proceedings, and an act declaring a revocation without the establishment of such fact is unconstitutional." In the charter of that company is found the same provision as is contained in the charters of the companies now under consideration, to wit: "If the said company shall at any time misuse or abuse any of the privileges herein granted, the Legislature may resume all and singular the rights and privileges hereby granted to such corporation."

Judge Grier, in delivering the opinion of the court, said: "The State claims no sovereign power to repudiate its contracts, and the Constitution delegates no such power to the Legislature. *The contract* in this case does not give an unconditional right to the Legislature to repudiate its contract, nor is the Legislature constituted the tribunal to adjudge the question of fact as to the misuse or abuse. The Legislature possesses no judicial authority under the Constitution, and has no established course of proceedings in the exercise of such power."

Your committee are therefore of opinion and do so report, that an inquiry into the second question above stated is beyond the power of the Legislature, and if attempted, would be in disregard of well settled legal principles and only productive of confusion.

The examination of witnesses bearing upon this question was allowed to take a wide range, partly because it seemed to be the desire of the parties and partly in the hope that a full development of the facts might suggest a feasible plan of adjustment, and not because they considered the testimony relevant to the issue, or of any practical value in the settlement of the legal questions. The views of your committee in regard to an adjustment of the difficulties were presented in their preliminary report, recommending the adoption of the system of boards of arbitration and conciliation, not as a novelty, but because this system had been thoroughly tried and found to produce admirable results. And they beg leave again to advise its adoption without any unnecessary delay, for the reason that warfare is unprofitable even with the comparatively harmless weapons of logic and law books.

One thing more remains to be considered. The distinguished counsel



who last addressed the committee said "he did not ask us to recommend a forfeiture of charters, but he did ask a law which should limit the railroad companies to a certain amount of charge for transportation." A fair and comprehensive law of this character, if such an one can be enacted, would be a consummation devoutly to be wished. If the difficulty of fixing rates of freight that would be proper and reasonable at all times, in the shifting fluctuations of trade, could be overcome, such a law would not only apply to the especial case now in hand, but also to the more widely spread and permanent cause of complaint in regard to the discrimination made by railroad companies against local and in favor of through freight. The dissatisfaction existing among the people in many parts of Pennsylvania, arising from this action of the great carrying companies, and the practical difficulties attending its proper regulation or correction, were laid before the Senate with much fullness of detail in the report made in 1868 by the Judiciary Committee, signed by Senators L. D. Shoemaker, chairman, (of Luzerne,) T. J. Bigham, D. M'Conaughy and George B. Schall, then members of the committee, under the following resolutions:

"*Resolved*, That the Committee on Judiciary (General) be instructed to inquire into the power of this Legislature to control railroad corporations of this State by direct legislation on the subject of charges for passengers and freight, to secure the private citizens of the State from inordinate and extortionate demands, to assert the sovereignty of the people of the State over all such corporations within its limits for the general good, and that said committee have power to send for persons and papers, and to compel testimony under oath; that said committee is instructed to report to the Senate at the earliest possible period, by bill or otherwise."—(*Resolution of January 29.*)

"*Resolved*, That the Judiciary Committee of the Senate have full power and authority to sit during vacation, in Harrisburg or elsewhere, to investigate the subject matters contained in the foregoing resolution, with power to send for persons and papers, examine witnesses on oath, employ a clerk or clerks, and take such other action for full investigation thereof, as they deem proper, and report to the next Legislature, by bill or otherwise, accompanied by the testimony taken."—(*Resolution of February 18.*)

The committee made a lengthy report, embracing a resume of the evidence taken in various parts of the State, to which attention is invited, and on the general question of limiting charges for transportation they reported as follows:

"It becomes, then, an important inquiry to ascertain to what extent the Legislature may interfere to regulate the rates of freight. In this connection it is proper to remark, that we have not been able to examine and collate all the railroad charters granted previous to the general act on that subject, passed on the 13th day of February, 1849. To consider all these, with their numerous supplements and amendments, covering a period of twenty years, would occupy months of close application. So far, however, as the committee have been able to examine them, they find the directors clothed with the power of fixing a maximum rate of freight even higher than is now generally charged, and it is questionable whether this power can be taken from them without an infringement of their franchises. So long as they keep within the maximum, it is a question for the courts to decide whether the public can have redress, provided they do not transcend their chartered limits in other respects. A charter is a written contract between the people—through the Legislature—and a number of citizens, under which, in consideration of certain privileges, the latter invest their



money. It is just as obligatory on both parties as a contract made between individuals, and the same law prevails for enforcing it."

In addition to the grave constitutional difficulty, we are confronted by practical impediments most difficult, if not impossible, to overcome. A rate of freight which was reasonable this year might, from various causes, be very unreasonable the next. The difference of grade would make a fixed rate favorable to some roads and very unfair to others, while the intricate problem of the proper arrangement of rates for local and through freight would demand for its solution a period of time utterly beyond the command of your committee.

Respectfully submitted.

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TESTIMONY taken before the General Judiciary Committee of the Senate,  
*relative to the exorbitant freights on anthracite coal.*

HARRISBURG, March 8, 1871.

The committee met at 8 o'clock P. M., all the members being present.

The chairman stated that, whilst the matter referred to the committee seemed to be a mere question of law, it had been decided to hear gentlemen from the coal regions.

Franklin B. Gowen, president of the Reading railroad company, appeared and made the following statement:

If I am to confine myself strictly to the nature of your inquiry, it will take me but a few minutes to say all that I have to say, for it would be sufficient for this examination into the power of the Reading railroad company to do what it has done to refer you to the charter of the company, granted in 1833, where full power was granted to the directors to establish such rates as they thought, in their judgment, proper, and then to point to a case in the Supreme Court—Boyle against the Reading railroad company—in which the court unanimously decided that we had the right to establish such charges as we pleased. That would be sufficient for a mere strict legal inquiry as to whether we have exceeded the power granted in our charter. But I can conceive of a state of facts where a railroad company may have the legal right to charge such rates as it pleased, and yet exercise that right in such an arbitrary and unusual manner as to do great injury to the people of the Commonwealth, and thereby bring upon it the condemnation of those representing the Commonwealth. So far as the right to charge is concerned, the authorities I have referred to I think will be satisfactory.

So far as the second branch is concerned, there are two reasons why, in my opinion, the present condition of affairs made it eminently proper and just for us to take the course we did, and made it so absolutely certain that no injury would be done to anybody, but that our object was to rescue a great industry, the largest in Pennsylvania, namely, the coal mining interest, from the control of an association that had almost destroyed it, that I think, when you have heard what I have to say and what the witnesses have to say, you, gentlemen, will agree with me.

I said there were two reasons. The first of these is this, and it is all sufficient: The Reading railroad company has some 22,000 cars; it has over 300 locomotives; it has nearly 1,200 miles of single track railroad; it em-



employs a force of 12,000 men; it is absolutely necessary for it to have this equipment, to employ this force, and to have these railroads, because, when the mining operations in the regions which it drains are in full tide of successful operation, it is no more than is necessary to carry the product to market. Hence we are not to blame for incurring this expense, because it is absolutely necessary, in order to serve the people for whom it is our business to transport. That being the case, we have incurred an expense upon the road so as to make it capable of moving 180,000 tons of coal a week, and whether we are moving 180,000 tons a week, or only moving 12,000 or 15,000 tons a week, as we have been since the 13th of January, the expenses of the road are almost identically the same. The difference in the gross receipts of the road, when it is fully at work and all the mines in operation, and when the road is doing no coal business, amounts to some \$600,000 or \$700,000 a month. The difference in expenses does not amount to \$150,000. Every station agent has to be employed, the whole police of the road, all those who work at repairing it, every superintendent, everybody connected with it has to receive the same salary when we are idle as when we are at work; the only difference being that the hands on the coal trains alone are idle, and they are a very small proportion of the men employed by the company. That being the case, whenever a condition of affairs, for which we are not to blame, a condition of affairs between the coal operators and workingmen occurs, whereby we are deprived of that tonnage, if we did not increase our charges we would go into bankruptcy. It is inevitable. We have been carrying, from the 13th of January up to about ten days ago, a tonnage of about 12,000 or 13,000 tons of anthracite per week. If we charged \$10 per ton for that product, we would not be in receipt of so much money as if we charged seventy-five cents per ton for the product we deserve and ought to have; hence, as we are forced to keep up this equipment, and would be violating our charter by not having adequate means to transport the product of the mines, we are forced to make these high charges in order that we shall, at the end of the month, have enough money to pay the men we are obliged to employ. That is one reason.

The other reason involves an examination into the origin of this difficulty. I shall confine myself to the two lower coal fields. I have no personal knowledge of my own as to the Lehigh region or the Wyoming region, and I simply refer to the Schuylkill and Mahanoy coal fields, which depend almost entirely upon the Reading railroad company, and the lines controlled by the Reading railroad company, for their outlet.

There is, as you know, an association known as the Workingmen's Benevolent association, which really controls almost every man who is engaged in mining coal. The Reading railroad company has never had the slightest ill-will or animosity against this organization, except at different times when it has attempted to overstep its legitimate bounds, and to dictate or control our own business; then we resisted. We have been so kind to these gentlemen, the workingmen, that we have furnished them, weekly or monthly, the prices of coal; we have given their agents free tickets to travel; indeed we gave them free passes to come here now and to try to take our charters away from us. A few of them have become so elated by the success of some of their movements to control the Reading railroad company and the operators, that they imagine, as they say themselves, that they can control the Legislature of Pennsylvania.

Let me go back to 1869. This organization first came into full fledged existence, in all the regions, in 1869. They then formed this Workingmen's Benevolent association, extending throughout the entire coal fields of Pennsylvania. Their object—and it was a fair and legitimate object,



and there was no objection to it by any in our region except that they asked too much—their object was to have a scale of wages that should regulate itself according to the price of coal. When coal sold at a high price they should have high wages, and when it fell their wages should fall with it. In order to accomplish this object in 1869 they issued an order, from which there is no appeal. *The man who appeals from that order must go down into the tomb.* You know the state of society in these coal regions. They issued a decree that there should be a general strike in 1869; it was obeyed in all the regions. As soon as this strike was fairly inaugurated the operators in Schuylkill county agreed with their men that would pay them upon a basis, *i. e.*, pay a certain rate of wages when coal sold at three dollars per ton at Port Carbon, and that it should rise as coal rose, and never fall below three dollars. They could then very well afford to pay those wages, because the Lehigh and Wyoming regions were idle; there was no one to supply the market except the Schuylkill region, and coal went up to three or four dollars at the mines. They went on for three or four months, and at last the other regions, seeing that they were losing the market, agreed to some arrangement with the men. In Wyoming and Lehigh they went to work. They had not been at work more than six weeks altogether before it was found that the market was so full that the price fell below three dollars. The season closed, and the question was, what basis should be paid for the next year. The operators, finding that when all the regions were at work coal sold at less than three dollars, presented a new basis, by which coal could go to two dollars and fifty cents. The men in Schuylkill county would not accept it. They struck in March, 1870, and on the first of April, 1870, they stopped work entirely in Schuylkill county. Schuylkill county then being out, and the other two regions at work, the latter could afford to pay higher wages, because the product of Schuylkill county being thrown out of the market, the price of coal rose so high that it was the policy of the other regions to pay high wages, so as to keep Schuylkill out. This lasted until August, 1870. Then, at the request of Mr. Siney, I appeared at a meeting of the workingmen in Schuylkill county, to endeavor, if possible, to compromise the difficulty. The men had been out four months and a half; many of them were poor; they behaved very well on that occasion. They agreed when coal sold at two dollars they would take thirty-three (33) per cent. less than when it was three dollars. That was satisfactory to the railroad company; we thought it was right. We pledged them that we would reduce our rates. The company reduced their rates, and the operators accepted it and went to work on the 1st of August, 1870, at this rate of wages I had negotiated with the men, which was known as the Gowen compromise. The men worked the whole of the remainder of that season, and coal went down to two dollars and twenty-five cents in November, because all the regions were at work. Just here I want to say that it is not fair to the community that coal should ever be higher than two dollars and fifty cents—that coal can be produced at two dollars and fifty cents, leaving a profit to all concerned, if the operator can work ten months in the year, and not have a strike every few months. It can be produced at a profit, and give to every good miner from four to five dollars per day, if he will work eight hours a day. I can bring one hundred pay-rolls here at the next meeting to demonstrate that fact to you. The community is interested in this. For every workman in Schuylkill county interested in keeping the price of coal up to three dollars, there are one hundred poor women and children in the great manufacturing centres of our country that are interested in keeping it down. In the month of November, last year, the workingmen met the



operators in our region, in order to settle the rates of wages for the present year, and they then agreed upon a rate of wages for the whole of the year 1871, which was entirely satisfactory to both parties. I have the original agreement, which I will read:

“PROPOSITION FOR ADJUSTING WAGES FOR 1871.

“To commence with coal at \$2 50 at Port Carbon.

“Outside wages to be \$9 per week.

“Inside wages to be \$10 per week.

“Miners, (day’s work,) \$12 per week.

“Contract work to be reduced  $16\frac{1}{2}$  per cent. from the present basis, and the reduction or addition of percentage to be graded in the new price thus formed.

“The advance or decline to be graded on the \$2 50 basis, at the rate of one per cent. for three cents raise or fall in the price of coal.

“The committee on the part of the Anthracite Board of Trade and the Workingmen Benevolent association respectively recommend the adoption of the above, providing that a satisfactory arrangement be made with the Philadelphia and Reading railroad company for the fair reduction of tolls.

“A. B. of T.

“W. B. A.

GEORGE W. COLE,  
DANIEL R. MILLER,  
BAIRD SNYDER,  
WILLIAM F. PATTERSON,  
WILLIAM GRANT,  
WILLIAM KENDRICK.

JAMES RYAN,  
JOHN F. M’VEIGH,  
JOHN P. FRANCIS,  
JOHN SINEY,  
EDWARD KETING,  
PETER MURRY.”

After this was agreed upon, a sub-committee of both these organizations was appointed to call upon me in Philadelphia. Mr. Siney and Mr. Ryan on behalf of the workingmen, and Mr. Kendrick and Mr. Cole—and perhaps another, but certainly those two—on behalf of the operators, called at my office and laid that paper before me as the adjustment of the wages for 1871. I congratulated them upon it, and told them it was perfectly fair, and I thought we would have no further trouble. They then asked what reduction of tolls we would make. I told them if they worked at these rates we would reduce our tolls very considerably, and I intimated to one or two of them what it would be, but told them that the directors had to fix the rates. I suggested what they would be and they left perfectly satisfied. This was in November; they kept on until December. In the early part of December a difficulty arose in another region. The three companies in Luzerne, who had been paying very high wages to keep the men from going into this benevolent association upon a basis, reduced their wages, and the men in the upper regions struck. It was no fault of our region at all. Immediately after that, I found that the men in our region were listening to inducements to join in that strike, and I received a letter from Mr. Siney, some time in December, announcing to me that the Grand Council had ordered a strike to take effect on the 10th of January. This, to me, was such a violation of everything that had been agreed upon before, it was so outrageous to make our county suffer for the wrongs of others, that I wrote a long letter to Mr. Siney, dated January 30, which I have here and would like to read, because the New York papers have stated that the Reading railroad company has entered into a combination to raise the prices of coal. That letter reads as follows:



[COPY.]

PHILADELPHIA AND READING RAILROAD Co.,  
 OFFICE 227 SOUTH FOURTH STREET,  
*Philadelphia, December 30, 1870.*

JOHN SINEY, Esq., *St. Clair, Penn'a:*

DEAR SIR:—I have your letter of December 23. I regret the strike very much, and though it will doubtless help the men of the three companies, I feel that it will be a great injury to the workingmen of Schuylkill county.

It appears to me that the workingmen of Schuylkill are being used entirely in the interests of the men of the other regions; that whenever there is to be a strike in one region only, it must be in Schuylkill county, but whenever the Wyoming and Lackawanna regions suspend Schuylkill county must stop also. When the Schuylkill men had the long strike of last year the workingmen of all the other regions profited by it and kept at work at large wages, which their employers were enabled to pay in consequence of the suspension in Schuylkill, but now, when the other region suspends, instead of the men of Schuylkill obtaining any benefit from the large winter business that might be done, they are forced to stop also, so as to help those who injured them.

You must be aware that there is a great deal of destitution among the workingmen in consequence of the small amount of work done last year, and that the winter business would have been of great importance to them; but, by the action of the council, they are forced to go through a hard winter without any money left from the last season and without any prospect of wages during the cold weather.

It seems to me that the practical results of the strike will be these:

1. Coal will open brisk and high in the spring, and continue so for three or four weeks, after which it will fall in price and the trade become dull, which will have a very dispiriting effect upon the men. It is better for all the interests that coal should open at low rates, and the market continue steady, than that the price should be high in March and April and fall afterwards.

2. The fact of coal opening at high rates in the early spring when most of the large contracts for manufactures are taken, will induce many to use bituminous coal on account of its price and certainty of supply, who would otherwise have preferred anthracite.

3. As soon as the trade is fairly open the men of the three companies will go to work, upon some compromise with their employers and without a basis, and having used the workmen of Schuylkill county to accomplish their purpose, as they did last year, will be the only gainers by the strike.

4. The uncertainty of supply and the probable high price of coal in March and April, taken in connection with the dullness of the pig iron trade, will induce some furnaces to blow out, and prevent others from blowing in, and seriously diminish the demand from iron manufactures. I know of one case directly in point, where a large furnace on the Susquehanna, about to blow in and to use Mahanoy lump coal, will now remain out of blast until its proprietors can be assured that they will receive a supply of coal with regularity.

I am very firmly convinced that the results of a strike are always disadvantageous to the workingmen, more especially when the strike is intended to raise the price of coal by diminishing its production. It is true that to lessen production may temporarily increase prices, but when you consider that high prices tend to curtail consumption, you will find that the real and



lasting effect of a strike is to prevent natural and legitimate causes from operating in favor of the trade. A continued repetition of last year's experience would, in three years, break up every coal operator and destroy the trade, while steady work, at moderate rates, would, in less time, produce such an increased demand for coal as would furnish to all the regions plenty of employment at much better wages than can ever be secured by a strike.

The real interests of the men are to be served by increasing the demand for coal, but the present design seems to be to diminish its production. To increase the consumption is to secure a lasting benefit, by the natural and legitimate operation of those laws which govern trade throughout the world. To lessen the production of an article of principal necessity is to obtain a present temporary benefit, (by means which are not only unwise, but actually criminal,) at the expense of the whole future of the trade.

Very respectfully,  
(Signed) FRANKLIN B. GOWEN, *President.*

Mr. Siney wrote me a letter shortly after that, and I replied as follows:

[COPY.]

PHILADELPHIA AND READING RAILROAD Co., }  
OFFICE 227 SOUTH FOURTH STREET, }  
Philadelphia, December 31, 1870. }

JOHN SINEY, Esq., *St. Clair:*

DEAR SIR:—I have yours of December 29, and enclose you pass for the year 1871. What I said about the Luzerne companies to Mr. Kendrick and to others was pretty nearly what I suggested to you in the letter I wrote you yesterday, that I was forced to the conclusion that the W. B. A. was managed in the interests of the men of the Luzerne companies and not in the interest of those of Schuylkill county. I, perhaps, may be wrong in this surmise, but I do not see how any disinterested person can come to any other conclusion when it is seen that the men of Schuylkill county must bear all the losses, and lay idle to help the men of the Luzerne region, while the latter go to work whenever they please, basis or no basis, and without any regard to the real interests of those of Schuylkill county. It seems to me to be very unjust to have delegates from Luzerne county voting to keep the men of Schuylkill idle, when no cause for the stoppage exists in Schuylkill county.

The collieries of the Wyoming region are, I suppose, pretty well prepared for next year's business. It is important that many of the collieries of Schuylkill county should do a great deal of dead work this winter, which can only be done economically when the breakers can be worked a little to get rid of the coal from the gangways, schutes, headings, &c. Now this being the case, and well known to be the case, what other inference can be drawn, than that the W. B. A. is being managed in the interests of the upper regions, when it is seen that the representatives of those upper regions control the council and compel the Schuylkill miners to stop against their will, when there is a market that would take the coal, and when there is no difficulty between the workmen of Schuylkill county and the coal operators upon the question of wages.

Very respectfully,  
(Signed) FRANKLIN B. GOWEN, *President.*



I received no reply to that, and two weeks afterwards, on the 10th of January, the strike commenced. The order for the suspension was an imperative one; every body must stop work. It made no difference if the men in one colliery were anxious to work; if they disobeyed the order they knew what their doom would be. It made no difference if a man knew that he must go home to find his wife and children starving for want of bread. That order was obeyed as literally as ever any order of the Khan of Tartary was obeyed. There never was any cause for suspension. The miners could have earned three or four dollars a day through the winter, and when the spring opened could have earned four or five dollars. But the order was obeyed; the Reading railroad company was thrown out of business; 20,000 or 30,000 of these poor men were thrown idle by the order of three or four men who met and determined that they should do no work. Every industry in Pennsylvania which we have to boast of, all this immense capital, gathered to develop these industries, to build railroads and to put up furnaces, by the decree of a few leaders who pretend to control it, was all made as nothing. Why? Because in one region they attempted to reduce the wages. There was no attempt to make a reduction in Schuylkill county; there was no design to reduce. The thought had never entered into the heads of the operators in Schuylkill county to destroy this organization or to fight it. But, seduced by the manner in which they had been met by some few politicians, they thought that they owned and had control of all this industry, and, without sense, without right, without calculating the consequences, they stopped, in an instant, everything. What were we to do? We had been prepared for this enormous trade; the market would have taken it; we were ready to carry it. No matter what may be said to you, the workingmen of Schuylkill county understood this question, and if they had been permitted to vote by secret ballot almost every man would have been anxious to keep at work. I have lived in that county for ten years and know a great deal about it. I know the tremendous effect such an association as this has, which issues orders which no one dare disobey. There never, since the middle ages, existed a tyranny like this on the face of God's earth. There has never been, in the most despotic government in the world, such a tyranny, before which the poor laboring man has to crouch like a whipped spaniel before the lash, and dare not say that his soul is his own. Can it be for a moment supposed that we, in whose hands are millions of dollars, invested by women and children, who depend for bread upon it, shall stand idly by without making some little effort to save it? Such a thing has never been heard of before under Heaven. I do not charge this Workingmen's Benevolent association with it, but I say there is an association which votes in secret, at night, that men's lives shall be taken, and that they shall be shot before their wives, murdered in cold blood, for daring to work against the order. At Trevorton, six or eight weeks ago, a man, working outside of this organization and against their order, who was sitting quietly beside a sick neighbor, was shot and killed by a bullet through the window of the house. Last week there was an attempt to kill a man working outside of this organization, by igniting a keg of powder under his house, and he was then shot. *I do not blame this association*, but I blame another association for doing it; and it happens that the only men who are shot are the men who dare to disobey the mandates of the Workingmen's Benevolent association. Is this to last forever? Can there be no redress? Can it be that in the Commonwealth of Pennsylvania, which has this vast body of coal, this great industry, which has supported the State of Pennsylvania, which has paid its taxes, is to be singled out and made subservient entirely to the dictates of the workingmen? If it is,



then, gentlemen, good-bye to the credit of Pennsylvania, good-bye to the coal mining and manufacturing industries. Let every man give it up and go home and be a poor man, because this, that we all relied upon as being the wealth of the State, is rendered valueless. Out of this industry the Reading railroad company has paid, in eight years, \$2,250,000, in cash, as taxes to the State for its prosecution. If we have no work we can pay no taxes.

Now, then, let me speak to you about the price of coal. What do these men claim? They claim this—that coal shall never sell for less than \$3 per ton at Port Carbon. If the operators knew that price could be maintained they could afford to pay them the wages they ask. But that price is from fifty to seventy five-cents a ton higher than coal ought to sell for; it is that much higher than the community ought to pay for it. It can sell for \$2 25 and \$2 50, and produce just as good wages, and better, than any other class of labor receives in the United States. What is the effect of high prices upon furnaces? The iron trade has been prostrated. If every manufacturer of iron is to pay \$3 per ton for coal at Port Carbon, and \$3 50 at Mauch Chunk, the iron industry is destroyed forever, because at this time there is a struggle between Pennsylvania and the new openings in the South as to which shall be the place for the future manufacture of iron in this country. It is not only the price, but the uncertainty of supply that is an evil. In 1869 we had a six weeks' strike in the middle of the season. In 1870 we had twenty weeks of idleness. Every manufacturing establishment has to guard against these strikes, and pile up in its yard an enormous amount of coal, which requires a great deal of capital. It has been customary to get a supply daily, but when these strikes are threatened they have to lay up enough to last them three or four months, and a large amount of capital is thereby required. The workingmen demand the \$3 basis as the minimum. They said they would not work for anything less than that. This was in February. The operators, with great unanimity, refused to accept that. Were they right? They were, because if all the regions had been at work coal would not have sold for more than \$2 50. When coal sells for \$3, and they pay the \$3 basis, there is a profit of forty cents per ton, provided there is no stoppages; but a stoppage of one month is twenty-five cents off of the profit of every ton they send for ten thousand tons. When coal goes down to \$2 50, when \$3 is the minimum basis of wages, there is no profit on it, but a loss. Why, then, is it that this particular industry shall be singled out, and the community told "you must pay that much for your coal, notwithstanding there are people here who would mine it for much less and sell it for much less?" Why should this be done? Has it ever been said in the iron trade that pig iron shall not be sold for less than \$30 per ton? English iron would come in and sweep the manufacturers out of existence. There is no other region but Pennsylvania where anthracite coal can be got. True, there is bituminous coal, and these repeated strikes have lead Congress to think very seriously about taking the duty off bituminous coal. If one dollar is taken off bituminous coal, that coal can be introduced into the sea ports of the United States—into Boston, Portsmouth, Baltimore and New York—at a rate so much below anthracite that it would be to the interest of the consumer to buy that coal instead of anthracite, and to that extent it is a blow against the anthracite region of Pennsylvania.

Hence it was that when these operators in Schuylkill county refused to give these wages, the Reading railroad company saw there would be no business for them to do. We have got to keep up our expenditures of \$500,000 or \$600,000 a month, and the only business we have is the pas-



senger and merchandize business. If we had not raised our rates we would have lost \$100,000 or \$200,000 a month more than we are now losing. We are not to blame. If they create a fictitious price for an article of prime necessity, so that it prevents any body working, we are not to blame. When the committee came before me in November last, I told them that if there were no strikes, the price of freights, when the trade opened on the first of March, would be very low, and they appeared satisfied. I made it an express condition that there should be no more strikes. Mr. Siney said, "what would you think of stopping three or four weeks in July?" I told him that I did not think strikes were the way to handle any question at all; it was an arbitrary way. They left me, understanding that this matter was settled, and yet you see how the matter has been treated.

By Mr. Olmsted.—Q. Who did these parties signing this agreement purport to represent?

A. The Benevolent association of Schuylkill; it was a committee of the Workingmen's Benevolent association of Schuylkill county, which met a committee of the Anthracite Board Trade, to fix the rate of wages for 1871.

Q. There is a separate organization, one in Schuylkill and one above?

A. It is all one main organization, but there are branches of it; they have a main president over all; then they have local sub-divisions, one of which is in Schuylkill county; I think John Siney is president of the Schuylkill county branch; they have sub-committees for different districts.

By Mr. White.—Q. Do I understand you that they have an association in the Wyoming region, and the Lehigh and Schuylkill regions?

A. Yes, sir; and it is all centred in a Congress called the Grand Council, which governs every thing. The delegates from Schuylkill and Wyoming united together can vote Lehigh out, and Lehigh and Wyoming can vote Schuylkill out, and Schuylkill county has stopped when the other regions were at work. It places the whole industry of the community, and the property and the lives of the citizens of this State, in the hands of an organization that has not one dollar of capital invested in the business. It is a claim that has never before been made in the history of the world. I know that in England they have co-operative societies, where each man pays in his own share of the capital, and they work with their own hands and share the profits, but then they share the losses. Here, however, they put in not one dollar, you must furnish all the capital and bear all the losses, and when you make money they say "you must give us half of it or three-fourths." Such a demand has never been made in the history of any trade in the world.

Q. How many tons did the Reading railroad carry last year?

A. Four millions six hundred thousand tons; it should have moved six millions.

Q. What were the average rates?

A. They average \$1.40 on every ton we moved; we carried coal to the retailers in Philadelphia in small quantities from Schuylkill Haven at \$1.92; after the first of August we got \$2.00; the coal we carry to the great depot at Richmond in large train loads we carry sometimes for considerably less. The lowest we got for that was \$1.20, and the highest \$1.80, last year, but the average that we received last year was \$1.40; multiply the whole tonnage by \$1.40, and it will show you the exact sum of money we received for carrying coal. The entire profit we made on that last year was thirty-one cents per ton, after paying the interest. We did not make so much money on the coal trade last year as we would if we had simply rented our cars to Judge Parker, discharged our hands and carried no coal, all on account of this strike. No matter how prosperous the coal trade may be, it



is certain there will be 2,000,000 of tons less burned this year than there would have been if it had not been for the strikes in the last two years. Had it not been for the strikes of 1869 and 1870, and the fictitious prices of coal, and the consequent introduction of other fuels, there would have been 2,000,000 of tons more of anthracite coal burned this year than there will be now.

Now, in regard to the Workingmen's Benevolent association, although we never had any fights with them, I have always endeavored to impress upon Mr. Siney the fact that the way to benefit his association was to increase the consumption of coal; his idea is to make it scarce in the market. That is not the way. One month of stoppage induces the people to burn bituminous coal and other fuels.

Again, you notice that the anthracite coal fields are a small part of Pennsylvania, and the increase in the consumption of coal is as the circle is expanded, of which the coal field is the centre. The lower in price coal is, at the end of the radius, the quicker it is introduced in place of other fuels. If coal is eight dollars and wood four dollars, people will burn the wood; if anthracite coal is five dollars per ton and bituminous four dollars, people will burn the anthracite. I have endeavored to induce these men to understand that if they will work steadily all the year round, at moderate rates, they will make actually more money. That would reduce the cost of coal 25 cents in labor alone. If the operator could work all the year round he could sell coal 25 cents less. If the Reading railroad company had business all the year round they could carry it for 25 cents less, making together an amount of 75 cents. That difference in price would extend the use of anthracite coal fifty (50) miles further from the centre, and make a certain market for any over production of coal. That is the way to solve this question. The workmen have an idea that any body who talks to them upon the part of an operator or a railroad man is an enemy. But they listen to the New York papers; they listen to these free trade papers, not knowing that these papers are endeavoring to keep up this fight, to the injury of the workingmen, so as to make use of it as an argument in favor of repealing the duty on bituminous coal. Any man can see that a lasting benefit to the workingmen is to be gained by increasing the demand for coal. I know an instance in the Schuylkill valley where one of the largest manufacturing establishments that used to burn anthracite commenced to burn bituminous coal during one of these strikes, and has been burning it ever since, paying \$1 50 more per ton than for anthracite. The Reading company, during the strike of last year, was forced to roll its rails with bituminous coal, brought from the bituminous regions. There are many instances in New York, where the largest steamboat lines never burned any thing else but anthracite, thus throwing into this Commonwealth a large amount of revenue, have changed their furnaces and now burn bituminous coal from the Cumberland region. That is the effect of these strikes. The operators say to the men "we will give you exactly what your representatives agreed to take." I have been told since the negotiations have been going on that the workingmen have agreed to slide down to \$2 50, but not lower. Mr. Siney told me at my house, within the last three weeks, that our offer was fair and right, and he said to me "if the workingmen do not accept it I will resign my position in the society and go back to work." He went up to Pottsville, and in a day or two he came out in a fierce letter against the Reading railroad company. It is an avowed struggle, on the part of the workingmen, for the purpose of increasing the price of coal when there was no dispute about wages. I am very free to say that I believe that if it had not been for the encouragement which these workingmen



had received at Harrisburg they would all have been at work ten days ago. I believe that the political agitation of this question has taken an average of fifty dollars a month from 40,000 workingmen in Pennsylvania, from the large numbers of furnaces, railroads and canals that are idle on account of this strike.

By Mr. Olmsted.—Q. You refer to a case where the Supreme Court have adjudicated—can you give me the reference?

A. No, sir; it was the case of *Boyle vs. the Reading railroad company*.

By Mr. White.—Q. How long has this strike continued?

A. From the 10th of January in our region; in the Wyoming region it commenced on the 1st of December, among the men of the three upper companies.

Q. What are your rates now?

A. Six dollars a ton to Philadelphia.

Q. How long have they been that?

A. Since last Monday; prior to that they were four dollars a ton, for two weeks, perhaps. The average tonnage up to the last three weeks has not been 12,000 tons a week; our capacity now is at least 180,000 tons a week, and we have to incur and pay the expense necessarily to transport that.

By Mr. Olmsted.—Q. How is this going to end?

A. It can end whenever the workingmen listen to reason, and sit quietly down among themselves and meet the operators and let some umpire decide it. I have been trying to do that; I have cited cases in England where it has done great good; let the workingmen have their committee and the operators their committee, and if they cannot agree let some umpire decide between them.

By Mr. White.—Q. An official commission?

A. Yes, sir; that is what I mean.

Q. Can you furnish an estimate of the amount of tons carried for the last month?

A. Yes, sir; I can furnish the amount of tonnage for the last eleven weeks.

*Coal tonnage over P. and R. R. R., for week ending January 14, 1871 :*

	Tons. cwt.	
Anthracite .....	37,399	09
Bituminous .....	5,025	18
Company's use .....	1,689	03
	<u>44,114</u>	<u>10</u>

*For week ending January 21, 1871 :*

Anthracite .....	12,919	18
Bituminous .....	5,876	19
Company's use .....	830	08
	<u>19,627</u>	<u>05</u>

*For week ending January 28, 1871 :*

Anthracite .....	6,648	00
Bituminous .....	4,361	00
Company's use .....	487	06
	<u>11,496</u>	<u>06</u>



For week ending February 4, 1871:

	Tons.	cwt.
Anthracite .....	8,781	19
Bituminous .....	6,411	15
Company's use .....	1,548	04
	<u>16,741</u>	<u>18</u>

For week ending February 11, 1871:

Anthracite .....	13,114	17
Bituminous .....	6,378	14
Company's use .....	1,267	18
	<u>20,761</u>	<u>09</u>

For week ending February 18, 1871:

Anthracite .....	15,153	05
Bituminous .....	7,185	05
Company's use .....	1,452	15
	<u>23,791</u>	<u>05</u>

For week ending February 25, 1871:

Anthracite .....	27,424	05
Bituminous .....	7,723	02
Company's use .....	2,025	05
	<u>37,172</u>	<u>12</u>

For week ending March 4, 1871:

Anthracite .....	40,930	11
Bituminous .....	8,232	09
Company's use .....	2,809	19
	<u>51,972</u>	<u>19</u>

#### DAILY TONNAGE.

For Monday, March 6:

Anthracite .....	2,486	05
Bituminous .....	2,552	16
Company's use .....	487	05
	<u>5,526</u>	<u>06</u>

For Tuesday, March 7:

Anthracite .....	2,400	06
Bituminous .....	1,302	16
Company's use .....	312	05
	<u>4,015</u>	<u>07</u>



For Wednesday, March 8:

	Tons.	cwt.
Anthracite .....	3,477	11
Bituminous .....	1,952	14
Company's use .....	459	00
	<hr/>	<hr/>
	5,889	05

The offer that has been made to the men is the offer that has been suggested by the railroad companies and by the men themselves, and is higher than the offer that the operators made.

By Mr. Olmsted.—Q. Are there not a great many operators willing to resume work at the old rates?

A. I do not know that there are any that would commence that were not working last week; of course there are men who will take the opportunity of making money; there are always a few who are anxious to get up a struggle, and say to the men, "I will pay your wages," because they get enormous prices. The product of anthracite coal, I suppose, is over 500,000 tons a week; that is the capacity of production; there is capacity to transport no more than 480,000 tons. I do not think any of the companies have greatly increased their rolling stock the last year. The product of coal being 480,000 tons a week, and the market being sufficient to take that amount, it follows that if eight or ten operators can keep up their collieries when the rest are idle they could get a fabulous price, and hence they could say to the men, "we will give you any price you ask." The working men think that these men are their friends. Take the number of operators in our region who rejected this \$3 basis, and outside of them I think the utmost the others could give us would be 30,000 tons a week. If we get 180,000 tons a week, at an average of \$1 50 a ton, it is about what we ought to have. But if we carry 20,000 tons a week, and get \$6 for the whole of it, it is only \$500,000, instead of a million. As we are obliged to keep up this equipment, and would be derelict to the State if we did not, we of course are obliged to incur this expense.

By Mr. White.—Q. There is a conflict between the operators and men?

A. Yes, sir.

Q. Is there a conflict between the operators and the Reading railroad company?

A. An entire accord; it is from the operators that we derive our revenue; they are our customers, and it is our duty to protect them.

By Mr. Petrikin.—Q. Is there organization among the operators to keep up prices?

A. Not at present; they did not even have a combination in our region about prices, because there are too many of them. There are 171 collieries in our region, and there is no board that regulates the price. In the Lehigh region they have a board that meets once a month and fixes the price of coal; in our region it is a scrimmage; everybody sells at what they can get.

By Mr. Olmsted.—Q. There is a very general impression, I find, in the newspapers, that sometimes the operators work in concert with this association for the purpose of getting up strikes?

A. I do not believe anything of the kind ever occurred. I believe the workingmen were led into this by a few operators. I know that in our region there are a few men who think the coal trade should be a speculation; I believe they told the workingmen that the best way to cure this evil was to get up this strike. I want to say that, in justice to the Workingmen's



Benevolent association, I know there are a few operators in Schuylkill county who think that the way to make money is to rush up the price and have six months of good business, and then sell out their collieries on the strength of it. I believe the first devilment put into the heads of the men came from them.

By a member of the W. B. A.—Q. You charged us with being a secret society of murderers?

A. I said nothing of the kind; I said I did not want to charge the Workingmen's Benevolent association with it, but that there was another society which did these deeds, and whenever a man was shot it was a man working outside of this association.

[A member of the W. B. A. at this point, said he declared, on his solemn oath, that he had never taken a secret oath in an association of any kind; the association was composed of five nationalities; it was contrary to the religious creed of the Irish portion of the community to enter a secret society.]

By a member of the W. B. A.—Q. What is the capacity of the Reading railroad company and canal.

A. About 180,000 tons a week.

Q. [By a member of the W. B. A.] That is more than one-third of what the market will consume; the coal market consumes no more than sixteen millions; I do not think it consumed that last year.

Mr. Gowen—When I said 180,000 tons a week, I meant that is the entire product we move; some of that, after being moved upon our road, goes to the Northern Central road, and some of it, before it gets to us, comes over Judge Packer's road; of the amount we carry, probably there is 15,000 or 16,000 tons a week that would go to market by some other road; we carry coal that comes from the Lehigh region, and we send a good deal down to the Northern Central road.

Hon. Asa Packer, president of the Lehigh Valley railroad company, appeared and made the following statement:

I have very little to say in addition to what Mr. Gowen has said. What he has said in relation to the Schuylkill region applies to the Lehigh region; we have there what is called the five dollar basis. The basis at each of the points, I believe, is made as nearly equitable as the parties themselves can agree upon. Our region felt that the basis was too high—one that they could not live by and keep constantly at work; if they had to work their rate must be higher for the time they do work, because the expenses go on. For that reason they felt that it was necessary to produce coal at as cheap a price as they could, and get the largest quantity. Our road has not carried as much as the Reading, but we carried last year 3,600,000 tons, and we have an equipment by which we could carry one-fourth more than that. We have interruptions, and consequently must have a larger equipment than would be necessary if we were regularly employed. We are subject, as Mr. Gowen has stated, to nearly the same expense when lying idle as we are when at work, and we felt that we were entitled, if we had all the work to do in three-fourths of the time, to that much more for it, unless there was an absolute necessity for the stoppage; if there was, we were willing to share with the others all the way through. But when we were compelled to stop transporting merely for the purpose of putting up the price of coal, a matter which was wrong in principle, and against the interests of the miner and operator, and worse to the public, we felt justified, as I think the laborer would, if he only worked three hours in the day, that he must have more than if he worked the full time. There was



no question in our region, no difficulty between the operators and miners, until the miners took the stand that they must strike for the purpose of putting up the price of coal. Before the time they fixed upon, one-half of the furnaces in the Lehigh region had stopped; the others kept going as long as they could, and their business has been suspended. They did not feel, on account of the insecurity of the price of coal, that they could manufacture iron and keep on if there could not be more regularity. There are over twenty iron furnaces closed up in Lehigh; there are thirty-eight of them altogether in the valley; there are several of those not out, which are stopped; they are holding on with the hope that they will be able to resume before they go entirely out.

By Mr. Olmsted.—Q. Are you carrying any coal on your road now, at your present rates?

A. I think our tonnage, week before last, was about 8,000 tons; last week it was 10,000 tons; I can get the figures. Before there was any change made, our tonnage was less than 1,000 tons a week; we have about 4,000 men employed.

Q. What are your rates now?

A. Our rates now, I think, are four cents per mile a ton on the main stem.

Q. Is there any limit in your charter to the amount you may charge per ton?

A. No, sir; I do not know that there is; we endeavored not to go beyond what we had a right to do.

By Mr. Dechert.—What is the date of your charter?

A. I do not remember now, but somewhere about 1844 or 1845.

By Mr. Petrikin.—Q. What is the cost of coal per ton at the mines, delivered in the cars?

A. It is sold at Mauch Chunk; the price there has been from \$3 to \$4 delivered on the cars; some of the time the mines were idle, but take the whole season together, the miners, clear of all expenses, have made over \$1,100 per year.

By Mr. Olmsted.—Q. I understand you that you raised your prices upon your road simply because there was a diminution of business, and you had to have this increase charge on account of the diminution of business?

A. That was the effect; we did it in order to get what would pay us.

Q. Is it not killing the goose that lays the golden egg?

A. No, sir; I think not, because we could not exist; we would be obliged to go into bankruptcy if we could not pay our expenses, and we certainly have not done that this year.

Q. Suppose there should be a still further decline in the amount to be transported?

A. We might as well lie still as to work for nothing; the employees upon the road, the force necessary to move the trains and keep the road in repair and the shops all going, is the same nearly when we are not at work as when we are at work, and if this state of affairs was to continue, it would be better for us to stop altogether, according to our experience.

By Mr. White.—Q. What fields does your road carry coal from?

A. We run into all three of the regions—Lehigh, Mahanoy and part of the Schuylkill and the Wyoming regions.

Q. What is your capacity for shipping per week—what amount of tons?

A. Our capacity is fully up to 100,000 tons; we have never quite reached that; we have never had our stock fully employed; we have reached above 90,000 in a week; that included the coal we carried to the canals; some of



it we delivered to the Reading railroad company, and some to the Lehigh coal and navigation company.

By a member of the W. B. A.—Q. Has the Lehigh Valley company refused cars to any operator who wanted to work since this fight commenced?

A. Not at our prices.

Q. Mr. Taggert, an operator in the Lehigh region, applied to the Lehigh company for cars, and was refused them up to Monday morning last?

A. That was unknown to me.

By Mr. White.—Q. What distance do you carry the coal?

A. Some of it 20 miles, some of it 100 miles.

Q. What is the full length of your road?

A. We have various branches; our longest road is from Wilkesbarre to Easton; then we have various branches running into different coal regions; from Easton to Mt. Carmel is 100 miles.

By a member of the W. B. A.—Q. What is the distance from Wilkesbarre to Elizabethport?

A. Our road stops at Easton.

Q. Do you not make contracts to carry coal all the way through?

A. No, sir.

Q. Is there any understanding between you and the roads as to the price for carrying coal at the present time?

A. We always had an understanding; we always pro rate with them.

Q. Do you give the prices on your circulars through to New York.

A. We put down what it is; we do not engage to do it at that; we have the rate showing what the cost is to Elizabethport or Jersey City or Trenton, or wherever it goes.

By Mr. Coray.—Q. Is there not a large amount of coal standing upon the Lehigh sidings, ready to go forward to market?

A. No, sir, not that I know of; there may be some standing there for the company's own use, but none to go to market that I know of.

Q. Do you not think that lower rates would bring a great deal of coal without any loss to the company?

A. That has been our aim; our aim is to get the largest tonnage we can carry at the lowest rates.

Q. Is it not within the knowledge of the Lehigh Valley company that there would be a great deal of coal shipped if the price had not been raised?

A. I suppose if the operators would go in at these rates we would carry more coal; we have carried every thing brought to us.

Q. Do you not think it would increase the tonnage, provided you put the rates down to what they were before you raised them?

A. I do not think it would materially.

Q. Were you present at the meeting in March, 1869, in New York, when six or seven different railroad companies were represented?

A. I do not remember the day; I was there at one time at a meeting.

Q. Was not the question then discussed, or was there not some action or some talk that by reducing the tonnage they could keep the rates up—was there not a committee appointed to investigate the matter and report?

A. Not that I am aware of; I did not attend the meeting for any such purpose, because I have always been opposed to any thing of that kind.

By Mr. Olmsted.—Q. Is not one object that you have in raising your rates to strengthen the hands of the operators, and to prevent some operators from going to work who otherwise would?

A. In putting the rates up we did it not with a view of increasing the price of coal; it was with a view of getting the lowest rates and the largest tonnage as the future result.



Q. I mean at the present time—is not the tendency of this price to prevent some operators going to work?

A. I think it has that effect; but I do not think it is to the interests of a company or to the public that it should be done; I think if there is a combination for the purpose of putting up the price of coal we should use all legal measures to prevent it.

Q. Did you not act in concert with the operators when you raised the price of transportation—did you not do it in concert with some of the operators?

A. I think they fully agreed with us, but there was no contract.

Q. There was a common purpose?

A. That was their object, I have no doubt, and their desire.

Q. And yours, too—it was a common purpose?

A. Yes, sir; I think it was with the view of regularity, but it was not a combination that any body was bound by.

[The following questions were asked by a gentleman, who stated he was a coal operator:]

Q. Has it not been represented to you that unless the price of transportation was increased the operators would go to work?

A. There has been talk of that kind.

Q. There is no design, so far as you know, to prevent the operators going to work—this action has not been taken to prevent the operators making terms with the miners?

A. I say this, that we felt that we could not go to work until we felt sure, or had some assurance, that we could keep steadily at work; we could not afford to go and put our force on until we knew we could be able to keep going, and we have seen no time that we could do that.

Q. What do you think was the reason that induced the companies to agree simultaneously to advance the freights? Was it not the fact of the knowledge that certain operators would go to work?

A. We did what we believed was best for us to do; others thought the same; there was no combination.

Q. How long was it after the strike commenced before the rates of freight were advanced?

A. I do not remember now, but I think it was over a month.

Q. What appears singular is that the companies should have come to the same conclusion at about the same time?

A. I think they all felt the necessity of it, and felt that it was necessary for them to do what each one of them did do.

Q. Why did not the companies raise the price as soon as the strike commenced?

A. We had nothing to carry; when the time came we found it necessary to know that the condition of the business was such that we could go to work.

Q. Do you not think it would relieve great suffering in the city of New York to carry coal?

A. I think the people in the city of New York have had their coal within reasonable rates—that is, so far as it comes from the operators or companies; I think that the price of coal there has not been from the action of the operators or railroad companies; I am satisfied that neither the operators nor the railroads could go to work with any safety to themselves, unless they could be assured, or have some better assurance, that they could continue to work, because they could not incur the expenses necessary to start work if it is to stop in a month.



Q. I think you stated that the expense of running and remaining idle was about the same?

A. Very nearly the same.

Q. You have to keep the road open for passengers and merchandize?

A. Yes, sir; and we cannot live on that alone very well.

Q. The increased expense would be simply the running of the trains and the steam power?

A. It would be the expense of taking our men back and opening a trade that we could not live by.

By Mr. White.—Q. Have the collieries along the line of the road all suspended?

A. There is a little coal that is going away—I think from 8,000 to 10,000 tons a week, from a few collieries.

Q. Some of the collieries have suspended entirely?

A. Pretty much all of them.

By Mr. Olmsted.—Your company is a coal mining as well as transportation company?

A. No, sir; simply a transportation company.

Q. Have you any interest in coal mines?

A. I am an owner of coal mines—not an operator.

By Mr. Petrikin.—Q. You receive a royalty?

A. Yes, sir.

By Mr. Siney.—About how many tons do you carry from the Wyoming region?

A. That is more than I can tell you.

Q. Do you know if there is any difficulty at all between the men and the operators in the Wyoming region—is there any difficulty between them except the railroad?

A. I have understood there was; I have not been there.

Q. Did you hear that any coal operator there offered any lower price to the men—any change of price at all?

A. I am not familiar with that; I have not been there?

By Mr. White.—What is to be the end of all this, in your opinion?

A. Really, I do not know; I am a little like Mr. Gowen about that; we have no enmity to the association; my opinion is that it would be better if there was a board of arbitration, to settle all questions that might rise.

By Mr. Olmsted.—Q. Your present idea is to fight it out on this line is it takes all summer?

A. I do not see anything left for us to do but that; if there is any other way, I would like to know it.

By a member of the W. B. A.—Q. Will the gentleman state how much cheaper the consumer would get the coal if the men worked for nothing?

A. We do not ask that; I can only speak of our own region; the mines there for the last year, when coal was pretty low—most of the time lower than for years before the whole season through—the miners there, from the statements I have seen, averaged from \$4 to \$5 per day.

Q. Do you mean all the miners, or a few among the many?

A. All I can say is that the statements I saw were taken just as they came from the books; they took thirty names; some made more and some less, but the average was about that; the statement was made up and presented to me; I do not present the exact figures; the different months were added together, and divided by thirty, and each man had over \$1,100 for the year—nearly \$100 a month.

Q. Are you aware whose books they were taken from?

A. Some that I saw were from Sharp, Weiss & Co., from the Jeddo



mines, from the Hazleton company; there were several of them; all the principal miners; there were thirty from each colliery.

Q. Do you know how many men were employed in each of these collieries?

A. I do not.

E. W. Clark, president of the Lehigh coal and navigation company, being called, testified:

By a member of the W. B. A.—Q. How many men are employed in these collieries just named?

A. I suppose the statement that Judge Packer has referred to was submitted to me; every miner who mined by contract in the collieries named, earned an average of \$1,100 for the year 1870; in one colliery every miner who worked over two months earned \$73 per month; every man earned \$73 for the month.

Q. I am referring to the Hazleton region?

A. There are no reliable data; there a few miners working by contract; I have not heard of one case where they earned less than \$3 per day, six or seven hours a day; I should think it would be well to take the pay-rolls of all collieries; each pay-roll shows the net amount paid to each miner, after paying all charges.

By Mr. Olmsted.—Q. Do you mean in this colliery you speak of they earned \$1,100 net?

A. That was net, not taking in the rent; in some cases the companies do not own the houses; in our case we own nearly all of them.

By a member of the W. B. A.—Q. Do you say that in your collieries every man averaged \$1,100 last year?

A. No, sir; we were not working all the months.

By Mr. Olmsted.—Q. On what basis was that?

A. The Lehigh region is working on the Elizabethport basis; when coal sold at \$5 per ton at Elizabethport, we paid, in our mines, about fifty-five cents per ton for cutting the coal; the other expenses connected with preparing it and loading it into the cars has usually reached a little more than double that price; that is at the mines.

By a member of the W. B. A.—Q. Do you say that you pay for putting the coal into the cars after it is cut, besides paying the fifty-five cents?

A. The other expenses are considered to cost about double the price of cutting the coal.

Q. Has not the miner got to load the coal, or hire a man to do it, and pay for it?

A. Certainly.

By Mr. Olmsted.—Q. Does that come out of the net amount?

A. No, sir; that is the net amount; I do not want the committee to understand that is the usual case; I do not think many of the miners earned as much as that; there are plenty of them who earned pretty near that.

Q. When the mining country is in general operation what do you suppose is the average price per day that a good miner earns?

A. I think that when coal is worth \$5 in New York the average of all contract miners in the whole region would be four dollars.

Q. Just for his day's labor?

A. Yes, sir, after paying every thing out of it, through the whole anthracite region. That is the impression; we have no data.

By a member of W. B. A.—How many miners have you working on contract, including the gangway-men?



A. I have not the data before me to give the exact number. My impression is that we have not more than 150 contract miners.

Q. You say that the miners get, for loading and cutting the coal, fifty-five cents per ton; how much does that weigh?

A. 2,240 pounds.

Q. How many feet is in that car?

A. Our standard car is about seventy-six cubic feet, top.

Q. Are you not aware that some fifteen or sixteen collieries around Hazleton allow forty-eight cubic feet for a ton of coal?

A. Yes, sir, I am.

John Siney, being called, made the following statement:

Mr. Gowen has made charges that we never expected to hear from him or any other gentleman. For that reason I think it has become my duty, as one of the officers of the association of which I am a member, to bring in talent to meet these charges and try to rebut them. I do not propose to enter into figures and give the result of prices. I am willing to accept their books, and I will bring the men who work in the collieries where these figures have been asked. Mr. Gowen has said we are a band of conspirators; the papers have so denounced us. I do not feel like letting that statement go out without trying to rebut it. Mr. Gowen knows that was the joint recommendation of the two committees, [referring to the paper presented by Mr. Gowen,] with a distinct understanding that the Reading road should come down to something near an equitable price for transportation. Mr. Gowen said it met his approval, but he distinctly said it was premature to announce what he intended to do then. He says, again, that I said that I would resign the position I hold if the men did not come to a certain arrangement. That I grant; but, sir, when he made that statement he must of known that the men came to it. The men did come to it and made the proposition, but they forced us to come down to \$2. They forced the men to work by the day for a little over \$9 a week. This was submitted to the association, and they agreed to come to that in order to avoid this issue. Between the 7th of November and the 10th of January the three large companies offered to the men about forty-five cents reduction, a proposition which the men refused. When they saw 2,000,000 tons more in the market than was required, the Scranton companies brought down their price to such a pitch that men who will be here said it was impossible for Schuylkill to accept those prices, and a partial suspension took place. In regard to the price of coal, I have never yet met the operator who said there was anything in the trade when coal goes below \$2 50.

Apart from that, we are stigmatized as being lead by a few. Here is a direct vote from the people, from the various branches of the association. [Witness produces paper showing vote.] I challenge Mr. Gowen, as a lawyer and a resident in our county, or any other man, to name one outrage which has been committed that can be traced to this association which I represent. When these charges are made, and go out to the world, gentlemen should be prepared to prove them. I do not wish to occupy your time. We accept the figures of the companies; but I do protest against allowing any operator to select a few men in his employ, and say that is an average. If you please, I will take the Anthracite Board of Trade, and stake the issue on the men in their employ, and compare with figures with any individual operator, and place the issue between those two. Schuylkill will accept what those companies gave to the men when we were out four months last year, and resume work to-morrow; we were willing to accept the basis of \$3—when coal is \$3—within ninety-three miles of Philadel-



phia. We are willing to accept that, and if the operators say they cannot pay it, we do not want them to pay it. We have never asked them, as an organization, to pay more than has been in the trade.

I won't advance any figures to-night. I ask that we be allowed the right of bringing in a legal defendant here.

By Mr. Petrikin.—Q. Do you know of the existence of a secret society, in Schuylkill county, amongst the miners?

A. I wish to be placed upon my oath. As workingmen we are stigmatized as a band of assassins; anything coming from our lips is supposed not to be believed; I know of none; I have heard say that such a thing is in it; I do not know a solitary man belonging to it.

Q. Is it generally believed there is such a society in that region?

A. It has been taken for granted that there has been, long before this organization was organized; we are an organization; we were first chartered by the county, next by the Legislature; to-day we have neither sign, password, oath nor pledge, and we do not know each other when we meet in the streets.

By Mr. Gowen.—Q. Have you not always heard, ever since you have been in Schuylkill county, that there were secret societies that committed outrages?

A. Yes, sir.

Q. Have not you heard three times that attempts have been made to throw our trains from the track?

A. Yes, sir.

Q. Have not you heard that a man, at Trevorton, was killed in this way, eight weeks ago?

A. Yes, sir.

Q. Have not you heard that a man at Mt. Carmel was shot and his house blown up in the night?

A. Yes, sir.

Q. Don't you know that the offence of those men was working outside of what other men thought was right?

A. I do not know, but I have seen it in the *Miners' Journal*.

Q. Do you know any other reason why these men were killed than that they had been working outside of what other men thought was right—did you ever hear any body charge them with other crimes?

A. I have heard members of the association say that they were not members of the association; it is the current report, in papers, that these men were not members of the association; but that is not in the county which I represent; Schuylkill has been made the butt in this connection.

Q. You stated just now that you never wanted the operators to work at a price at which they could not afford to produce coal, but that you wanted \$3 as a minimum. How did you intend to prevent them from selling coal at less than \$3? Was not your cure to order a suspension?

A. Yes, sir.

Q. Is it not an object, and has it not always been an object, of your society, to keep the price of coal up to about \$3 per ton at Port Carbon, by stopping when it got below that?

A. Yes, sir.

Q. Suppose you order a general suspension and any colliery that belongs to your society commenced work, what would happen?

A. We would sever all connection of them with the association.

Q. If twenty collieries in Schuylkill county will agree to go to work at this rate, will you let the men of your association work there?



A. If they feel so disposed; if they do, we will sever all connection with them.

Q. Won't you issue an order that those collieries must stop?

A. No, sir.

Q. Have you not issued orders that collieries must stop because some of the members that worked there had violated a rule of your association?

A. Officially, I say no, never.

Q. Don't you know that a colliery in your own town was forced to stop because it employed three or four men who had worked against the orders of your society? I speak of Kendrick's colliery. Has not your society repeatedly ordered men to leave and quit work at a colliery where three or four other men worked who had violated the orders of your association?

A. When the orders of the association are violated we request the men to sever all connection with the parties doing it.

Q. Have not you issued a direct order that certain collieries shall close when men worked who had violated the orders of the association?

A. Officially, I say no.

Q. Don't you know that you have ordered collieries to stop, and the men had to leave them, because one or two men worked there that were obnoxious to your society?

A. I say I have never done it.

Q. Don't you know because Kendrick & ———, at the Sinclair shaft, gave work to four men who had worked during a suspension, against the orders of your society, that their whole colliery had to stop until they discharged those men—don't you know it?

A. No, sir, I don't. I hold but one position—as president in the county in which I live. Reports have said that these men forced the colliery to stop. The minutes on the books of that district, by resolution, asked the men if they were willing to work as long as those men were there, and the members of that branch said no by vote, consequently the members of the association quit work at that colliery.

Q. Because Kendrick employed men that had once worked when there was a strike?

A. Yes, sir; the men refused to work so long as certain men were in it.

Q. Is it not a rule of your society that if one of its members does not pay his dues and works at a certain colliery, that colliery has got to stop until his dues are paid?

A. I do not wish to commit myself or the association; I emphatically say that when members of the association violate any of the laws thereof, then we cease to recognize them as members.

Q. That is not an answer to my question. Does it not result in every one who is a member of your society ceasing work?

A. It is the case.

Q. Have you not got a rule in your society that forbids any member of it to speak disrespectfully of its orders?

A. Yes, sir; we have got a rule which prohibits members from making charges against members or officers unless they can substantiate them.

Q. Or speaking disrespectfully of them?

A. I won't say exactly. [Witness reads rule from constitution.]

Q. You cannot punish them in any other way than to fine them?

A. That is all.

Q. If that man fined don't pay his fine, does not every member of the association working at the colliery that he is working at refuse to work at that colliery until he pays his fine?

A. No, sir, not generally.



Q. Has it not been the case?

A. Yes, sir, I suppose so.

By a member of the W. B. A.—Q. Did you ever hear of any outrages being committed in Luzerne county at the time the men were working in Schuylkill county?

A. Not to my knowledge.

C. Did you ever hear it?

A. Yes, sir; I have heard about certain parties shooting through the houses of people somewhere in the Lehigh region; they were parties put up to bring the association into disrepute.

Q. Did you ever hear any person say who was supposed to do this?

A. The supposition was that some of the police did it.

Q. The State police?

A. The constables.

James Kealy, president of the W. B. A., being called, made the following statement:

The gentlemen representing the wealth of the mining regions, the rolling stock, &c., and the legal adviser of the coal operators, started out by telling this committee how much money and wealth he represented. I wish to remark that we don't represent any money; we represent forty thousand miners and laborers; we represent their interests and views. We want to have a fair understanding in this matter, and have the reporters take down everything said, and let it go to the public, for them to judge of the issue between us. We have never had a fair hearing since the organization of this association. We have sent letters and statements to the press but they would not publish them. We could find the statements furnished by this gentleman (Mr. Gowen) coming forth every week from the public press; our statements could not be issued. The *Philadelphia Inquirer and Press*, the *New York Tribune* and *Herald*, those papers that circulate all over the United States, could have statements from those gentlemen, but not from us. Therefore, I say that I am glad this investigation has been ordered, so that our case can go to the public and show that we are not a band of conspirators.

An assertion has been made by the representative of one of the carrying companies that you cannot expect that he is going to carry 12,000 tons of coal as cheap as 180,000 tons. Are we to judge from this that a stage line running between the two points should charge as much for three passengers as for twenty? That statement is made to throw the odium of this suspension upon the workingmen. It is too terrible a crime to rest at our door. We won't have it. We want that crime to rest upon the originators of it. It has been stated here that an advance of  $16\frac{1}{2}$  per cent. has been offered to the workingmen for the month of January by this combination of capital, provided that they would succeed in getting the Luzerne region to suspend.

I asked the question, what would be the price of coal to the consumer, provided the workingmen produced the coal for nothing? I got no definite answer. He has told you what it would cost to produce coal and put it into the breaker, and you must take that much from \$9 90, and the balance is divided between the carrying company and the coal operator. I wish to make this statement to show that the miners are not the parties that make the coal dear. This association has done more to make coal cheap; it is their aim to make the trade as steady as possible. Coal operators have told us that if the workingmen could not steady the trade it was impossible for the coal operators to do so. The operators would cut each others'



throats for twenty-five cents on the ton, but if the miners passed a resolution to suspend they would abide by it. This was the statement that was made to me. If the men cannot control this trade the operators cannot do so. They try to throw the odium of the suspension, since it has become a curse, upon the workingmen.

The question was asked of the honorable president of the Reading railroad company, could any persons work provided this toll was taken off? If any answer was made I did not understand it thoroughly. They say this strike has been raised to prevent certain operators from working. In the part of the country I come from—Columbia county—every place there would be working to-day, and from the 15th of February, if it had not been for the rates of toll. When the 15th of February came we notified our operators that we were ready to make some arrangements whereby we could resume. We were told that we could not resume on account of the rates on the Reading railroad. I want to know whether we work for the operators or the Reading railroad company. I would like to know who is asking this officious gentlemen to step in between us and say “I am the arbitrator in this matter.” We want to settle the matter between ourselves. We have not asked interference.

I was going to ask the gentleman some questions, but I don't deem it necessary. I thought it would be recognizing a part of what he stated. When he refers to outrages in the coal region he should know that the coal region has been more quiet since the organization of the association than before. At each of their meetings they must at all times speak respectfully of their employers. If a committee is appointed on wages they are instructed how they shall act and speak. Yet we are told that we are conspirators. We intend to put the saddle on the other horse. The conspiracy rests on the other side. The Reading railroad company has learned that it can advance its tolls as much as it pleases, and that the laws of this State have nothing to do with them; you cannot interfere with them. This is the mandate that is put forth.

Before this organization the miners would strike in one colliery or another; somebody was always striking; the men were at the mercy of anybody; three or four would want an advance of wages and stop; they would go away out of the coal region, and when inquired for they could not be found. This was the state of affairs prior to the existence of the association. The consequence was, the names of those men were put into the hands of the operators, with the request “I don't want you to employ these men; they are striking at my colliery.” Perhaps you think this is over-drawn, but we come here to substantiate every word we say. [Witness reads affidavits.] I have got several of these; I can get 150 of them.

I have also to refer to the statement of the gentleman about the men making five dollars a day at the \$2 50 basis. We can produce evidence to show that at the \$3 00 basis two miners had worked 26 days in the month, and they earned what? They had eight dollars legacy of a debt. They went to the operator, and what did he say? “You must put the hard and soft together.” This was the consolation to the miner. Gentlemen refer to the pitiful condition of the orphans. What are the facts? Have we ever seen an operator give a dollar to bury them when they die? Have we ever seen them give them a shoe to put upon their feet when the snow was on the ground? Did they say “your father has been killed in making wealth for the Reading railroad company, and we will help you?” They cannot come here and ever tell me they have ever done it. I have been at the business ever since I was ten years old, except for four years when I was fighting the rebels, and I find it is a little worse now than when I went to



fight the rebels. The matter stands thus: There is a combination of \$300,000 arrayed against the hard workingmen of the State. This is the fight of the United States; this is labor against capital, not only for the miners but for the United States at large. If we have to submit it will be a submission of labor the world over.

Let us see what this terrible band of conspirators has done. Every winter, since this society has been organized, the poor widow whose husband was killed in the mines by an untimely fall of coal or slate, that poor woman has received sufficient to support herself and children all winter. We have in a great many districts paid for the education of the sons of the men killed in the mines. Show me that man here to-night with his hair as white as snow. Has he ever taken one poor miner's son and given him an education? No. But he has built colleges for the *elite* to be educated in.

By Mr. Gowen.—Q. You say the operators and railroad companies are to blame for this suspension—who ordered the suspension to take place on the 13th of January; by whose order was the work stopped?

A. By the order of the president of the General Council of the Workingman's Benevolent association. A delegation of the miners, representing 40,000 men, assembled and took a vote, and they resolved unanimously, that the work should cease until such time as it would pay to work.

Q. Then the suspension was ordered by the Workingmen's Benevolent association?

A. Yes, sir.

Q. In the Lehigh region was there any dispute about wages at that time?

A. I did not hear the men say there was.

Q. The operators were willing to pay all they asked?

A. I don't know about that.

Q. Don't you know from what you have heard that there was no dispute?

A. I tell you they voted very unanimously to suspend work, the Lehigh delegates included.

Q. The Grand Council ordered the suspension?

A. It is a General Council?

Q. They ordered the suspension?

A. Their people vote at home, and according to their vote they instruct the delegates. Our association is organized purely on democratic principles.

Q. You admit that it was the Workingmen's Benevolent association, through their delegates in this General Council, that ordered the suspension?

A. Yes, sir.

Q. Do you know that there was any dispute in the Lehigh region at that time about wages.

A. I never heard.

Q. Did you know of any dispute in Schuylkill?

A. I believe the men were working; there was no issue between the operators and men.

Q. Was not the suspension ordered for the sole purpose of putting up the price of coal, and to prevent production in the meantime?

A. I believe that was the object.

Q. On the 15th of February, when you ordered a resumption, did not you know that the men of Schuylkill county, before that, at a meeting of their organization at Tamaqua, had demanded the three dollar basis as a minimum?

A. I don't know anything about that.

Q. Don't you know it?



A. I don't think I remember.

Q. Haven't you also heard that, at that meeting of the Schuylkill county delegates, they insisted that the operators should come before the working-men and swear to the correctness of their accounts?

A. No, sir.

By Mr. Petrikin.—Q. How do you expect to cure this evil?

A. Since a third party got into this question, since we are amenable to them more than to the men we work for, I have no solution of the difficulty; but if we were working and only responsible to the coal operator, we might offer a solution; we are willing this matter should be tried by you, and settled.

By Mr. Olmsted.—Q. You admit that this suspension was ordered for the purpose of raising the price of coal. Did your association have any understanding with the operators to suspend for the purpose of raising the price?

A. Yes, sir; it was thoroughly understood that the men should get sixteen and a-half in my county for the month of January, 1871, provided they succeeded in bringing out all on suspension.

Q. With whom was that understanding?

A. The operators of Schuylkill county.

Q. Did you have any understanding, at the time of this strike, with the Anthracite Board of Trade; did they desire you to act?

A. I never treated with them; it is only Schuylkill that does that.

Q. Did you act with any board of operators who wanted you strike, to put up coal?

A. Yes, sir.

Q. How many?

A. All the operators in our valley—Centralia borough—five or six collieries.

Q. Do you know, as a matter of fact, that there was any more general understanding with the operators than what you speak of?

A. I could not say; all I learned about Schuylkill was through Mr. Siney.

By Mr. White.—Q. How do you know there was an understanding about Centralia?

A. I know everything about the society there.

Q. Did you consult with the operators about that result?

A. I did not; the committee did, and made report to our association.

By Mr. Dechert.—Q. How did your committee effect this arrangement with the operators?

A. They treated with the operators; there are only six operators there; there is one of them that governs the whole.

Q. Who are those operators?

A. J. M. Frick, Gurrell & Co., John Anderson & Co., De Haven & Co., Morris, Robinson & Co., and Purcell & Co.

Q. Which is the one you designate as the leader?

A. Mr. Gurrell.

By Mr. Davis.—Q. As president of the association, did you learn of any other operators who favored the strike?

A. No, sir.

Q. What did you learn as president of the association?

A. That it was thoroughly understood in Schuylkill county that in case the suspension was general, the wages for January would be raised 16½ per cent. and 24¾ per cent. in Schuylkill. The operators said if Schuylkill, Luzerne and Carbon came out they would make it general.

Q. Was this said by the operators before the strike had been threatened?



A. I think it was before the strike.

Q. Before it was threatened.

A. No.

Q. What do you mean by the operators in Schuylkill county?

A. Those represented by what is called the Anthracite Board of Trade ; I refer to them when I talk of operators.

By Mr. White.—Q. When was this understanding?

A. I believe it was immediately before this last suspension.

Q. Have they been consulted since?

A. Oh, yes ; we told them on the 15th of February that we were ready to resume work ; they said they could not start because the Reading railroad company would not let them. Mr. Gurrell was ready to start on the \$3 00 basis. I cannot say in regard to Schuylkill.

Q. What is your business?

A. I am a miner and reside at Centralia.

By Mr. Olmsted.—Q. You claim that the Workingmen's association and the operators are in concert and harmony now?

A. I don't swear any such thing.

A. You say they were in harmony when the strike commenced?

A. They were not in harmony ; there was no definite understanding ; this was offered and they got it ; there was no agreement ; it was a mere understanding.

By Mr. Gowen.—Q. Don't you mean that the understanding about the strike was about the wages for the month of January?

A. Yes, sir.

Q. Was not the understanding this, that you were to get the \$2 50 basis no longer, provided the other regions worked?

A. Yes, sir.

Q. Was it not the case, if the strike continued in the Wyoming region, the price of coal for the thirteen days you worked in January, would have been higher than if those regions had been at work?

A. I don't know ; my opinion is that they would not have paid at the rate at that time, unless it advanced.

Q. Was not the arrangement you speak of an arrangement for the month of January?

A. Yes, sir.

Q. Did you ever have any arrangement with the operators in your region that you should go into a strike?

A. No, sir ; not a written agreement.

Q. Did you consult with them in order to know whether you should order this strike?

A. No, sir.

Q. The arrangement you were speaking of was as to the amount of wages you should be paid in January?

A. They were to have an advance for the ten days in January, if this proviso was put in ; they agreed to pay the men on the \$3 00 basis, provided the other regions kept out, and if they went to work they were to have the \$2 50 basis.

The committee then adjourned until to-morrow evening at eight o'clock.



HARRISBURG, THURSDAY, *March 9, 1871.*

The committee met at 8 o'clock P. M., all the members being present.

Hon. L. W. Hall appeared as counsel for the complainant, and desired to know whether it was true that the night before an attack had been made on the Workingmen's Benevolent association by the president of the Reading railroad company.

Mr. Gowen contended that he had done nothing of the kind.

Mr. Hall then requested that the resolution be read under which the committee were acting, and the resolution was read. He contended that the duties of the committee were confined simply to the inquiry of whether any of the railroad companies had violated their charters or the law of the land.

Mr. Olmsted thought that the resolution covered the whole ground.

Mr. Davis said he thought the resolution contemplated something else than a bare question of law. The committee were authorized to send for persons and papers.

Mr. Gowen was then called to the stand by Mr. Hall.

Franklin B. Gowen, having been sworn, testified as follows:

By Mr. Hall.—Q. State whether you are president of the Reading railroad company?

A. I am.

Q. How long have you been president of that company?

A. Since last May a year, I think, or the latter part of last April a year.

Q. Will you be pleased to give me the schedule of freights on the Reading railroad on the 1st of January, this year?

A. I can give you the rate from Port Carbon to Philadelphia. I cannot give the schedule of all the rates. On the 1st of January the rate was \$2 08 per ton from Port Carbon to Philadelphia.

Q. How many miles is that?

A. Ninety-three miles. It was \$2 from Schuylkill Haven to Philadelphia—89 miles.

Q. What are the rates of freight now from Port Carbon to Philadelphia per ton?

A. \$6 08.

Q. For the same kind of articles?

A. A ton of coal, yes.

Q. Is that the rate on other things than on coal?

A. That I could not tell you; there are four different classes of merchandise—first, second, third and fourth class; then there are two classes called A and B, which consist of heavy goods, such as iron ore, railroad iron, &c., and those vary. The price for carrying a ton of iron is much less than for carrying a ton of feather beds. There are six different rates, but there are, perhaps, five hundred articles which are divided into those six different rates.

Q. Have you increased the rates of freight in the time named on any of those four different classes, except coal?

A. Not that I know of; not at all in the way it has been increased on coal. There is hardly a week passes but what some new rate is made upon a particular article. The general agent may issue a new rate upon some particular class of goods. On the 1st of January the rates on other articles than coal were reduced; on the 1st of January a new tariff went into force on other articles; the general effect was to reduce; some remained the same.



Q. The rates, proportionately, on the road for coal now are, as between Port Carbon and Philadelphia?

A. How do you mean, with reference to other stations?

Q. Yes.

A. Not exactly proportionately, for this reason: In making the charges on coal there is a certain constant quantity assumed for each ton, and that constant quantity is the same on the \$6 charge as on the \$2 charge. There is added to that constant quantity a rate per mile.

Q. Has the Reading company in contemplation to increase the rates of toll on coal in addition to the tolls now enforced?

A. No, sir.

Q. Is it not in contemplation to do this, provided the collieries now in operation in Schuylkill county do not suspend?

A. No, sir; nothing of the kind was ever suggested, or ever entered my brain for a moment.

Q. You claim that you have the right to charge freight and toll both under your charter, do you?

A. We claim that the restriction in the charter to four cents per ton per mile on toll simply is a restriction for the use of the road bed when the transportation is done by parties other than ourselves, and that our right to charge for the motive power and use of cars is not restricted at all by the charter. That position, I think, has been sustained by a recent decision.

Q. Then there is no restriction in your charter as to the rates of freight you can charge?

A. If you ask me that question simply as a witness, to determine what is in the written charter, my recollection is that there is not. The charter, of course, would be the best evidence. I think there is no restriction except on tolls.

Q. When did I understand you to say this increase was made from \$2 08 to \$6 08?

A. The charge was first increased to \$4 08, and that, I think, was sometime about the middle of February. The advance to \$6 08 was made subsequently, probably ten days; I cannot give you the exact date, probably ten days subsequent to the advance to \$4 08.

Q. Will you tell me, as you are no doubt familiar with all these things, what the price of pea coal was at Port Carbon on the 1st of March?

A. I cannot tell you; not more than \$1 25 or \$1 50.

Q. What is the freight on that pea coal to Philadelphia?

A. \$6 08.

Q. On that which you say does not bring at that place more than \$1 25 or \$1 50?

A. It is generally \$1 25; this price [referring to a paper] is not at Port Carbon; it is at the mines, about 14 or 15 miles, in the way we generally carry the coal.

Q. What is your rate for the 14 or 15 miles?

A.  $1\frac{1}{2}$  cents per mile when we can have trade; this requires the use of a large inclined plane, which we never use unless we have 6,000 or 7,000 tons per day; unless that is the case we carry it through a tunnel, a more circuitous way, some 24 or 25 miles.

Q. Then the price of this particular coal at Port Carbon would be, in your judgment, on the 1st of March, how much?

A. It is generally about \$1 00 to \$1 50; pea coal is the smallest kind of coal that is screened out of the dirt, and almost half of it is thrown away; it is only when coal is at a pretty fair price that they can afford to sell it.



Q. You charge as freight for pea coal from Port Carbon to Philadelphia the same as you charge for chestnut, or sizes above chestnut?

A. Yes, sir; it requires as much labor; pea coal ought to pay a higher price than any other; a large eight-wheel car, that will hold 14 tons of lump, will not hold more than 10 of pea coal.

Q. Has the transportation increased or decreased on your road since the suspension of these coal men?

A. When the suspension first took place, on the 10th of January, the tonnage fell off very rapidly, down to 6,000 or 12,000 tons a week of anthracite coal, and since the middle of February, since we have charged these high rates, the tonnage has increased very much. Our bituminous tonnage has not been at all affected by the strike; the bituminous tonnage comes from the Broad Top region, and we take it from Dauphin to Philadelphia, by way of Reading.

Q. What are your charges for carrying bituminous coal 93 miles?

A. We do not carry any bituminous coal that way; bituminous coal comes upon our road just above Harrisburg; we carry it from there to Philadelphia; the rate is established by the Pennsylvania railroad; I don't suppose the entire rate from Broad Top to Philadelphia, out of which we get our *pro rata* and allowance for car service, is more than \$3 00 to \$3 50 for the whole distance.

Q. You are obliged to carry that so cheap on account of the rule of the Pennsylvania railroad?

A. They fix the rate and we take our *pro rata* out of it; we have a contract with them.

Q. You have that with other companies, don't you, for coal?

A. No, sir, none whatever; we never make any special contracts for carrying any thing whatever.

Q. You carry bituminous coal from Huntingdon to Philadelphia for more than one-half as little as you carry anthracite coal from Port Carbon to Philadelphia?

A. At present we do; and if the suspension should continue for a much longer time we would carry the bituminous coal for nothing, in order that the people should not get out of coal, and to prevent a coal famine in the large cities.

Q. Be pleased to state whether you have done that this winter when the famine did exist in the large cities?

A. I did not know there was a famine.

Q. Did you do it this winter?

A. No, sir.

Q. Did you make any reduction at all on that item since the first of January?

A. No, none whatever.

Q. Was there an arrangement made between you and the Lehigh Valley roads and the roads leading to the north that carry anthracite coal, at the time you increased the rates of freight from \$2 08 to \$4 08, or from that up to \$6 08?

A. No arrangement at all in the way of a contract that was drawn up by either party. I told the other parties that we intended to make that increase, and stated very plainly that we would make it whether they did or not, because we had done the same thing on our own account in July last, when a similar state of affairs existed.

Q. Did you agree or did you not agree with these companies to do this before you made that increase?

A. We did not agree with them; I told them we were going to do it.



Q. Be pleased to state whether there was not an understanding between you and them, at the time you made this increase, that they were also to do it?

A. None but what I am now about to tell you. I told them that we would make that increase; they said they would also make an increase in rates; that is all.

Q. Didn't they agree to make the same increase that you did?

A. Not at all.

Q. Have they increased to the same rate?

A. I could not really tell you what rate of increase they have made upon their charges, nor was the rate that they were to make at all taken into consideration at the time this meeting took place.

Q. You mean by you?

A. Yes, sir.

Q. Didn't they take into consideration what you did?

A. I can not tell what their thoughts or actions were; I told them we intended to make this increase.

Q. Had not you a meeting with those railroad officials in Philadelphia prior to the time this increase was made?

A. No, sir; the increase was made sometime before.

Q. And put in force on your tariff?

A. Yes, sir.

Q. And not on their's?

A. On their's, too; we had meetings in New York before that.

Q. Didn't you meet these same men in New York and agree to this before it was done?

A. I met those gentlemen in New York two or three times, running through two or three weeks, and told them, upon one of those occasions, that we intended to make this increase.

Q. That is not the question I asked.

A. I will give you no other answer than the truth; that is all that was done.

Q. Did not these railroad officials inform you, when you informed them what you were going to do, that they would do the same thing before they or you did it?

A. They informed me that they would do it.

Q. Before you or they did it?

A. Yes, sir; I told them that we intended to make this rate; then the Lehigh Valley and the Lehigh navigation company said they would make the advance; there was no one asked to do so, nor do I know whether there were any others made the advance than the Lehigh Valley and the Lehigh navigation company.

Q. Have they made an advance outside of their charter?

A. I don't know what their charter is.

Q. Don't you know that these railroad companies made the request of the Northern Central railroad company to raise their rates correspondingly, so that they could shut out the coal from the Shamokin region?

A. I do not know that at all, nor anything about it; I don't think anything occurred between the Northern Central company and any of us except through myself; I called at the Pennsylvania railroad office; I don't know what they did; I have a knowledge of something occurring between the Northern Central company and myself.

Q. Did you state, or did you not state to operators in Schuylkill county, that if they did not quit mining coal you would raise their rates so high that you would absolutely prohibit them from getting it shipped?



A. Never anything of the kind to anybody.

Q. You never stated so to anybody?

A. No, sir; not that I know of; I would like very much to know if, in the mind of any persons, there is an opinion that I did say so.

Q. You desire that I shall call your attention to that fact?

A. Certainly.

[Mr. Hall said he would call the attention of witness to it at another meeting.]

Witness.—I have stated over and over again to operators that unless work was resumed generally we would raise our tolls.

Q. You would raise them higher than now?

A. Oh, no; that was before we raised.

Q. I asked if you said you would raise them higher than now?

A. Oh, no, sir; on the contrary, I have told a number that we would not raise them higher than they are now.

Q. Why?

A. Because they are high enough.

Q. Will you tell me, as the president of the Reading railroad, whether you regard this as good policy—the raising of the rates on coal to \$6 08 per ton for ninety-three miles?

A. It think it is excellent policy for the company, for without it the business furnished to it would be so little that it would become bankrupt, as would be the case when we are incurring an expense of \$500,000 to \$600,000 a month, and are receiving less than \$200,000, for carrying coal.

Q. It is the exchequer of the Reading railroad that you have principally at heart?

A. Yes, sir; entirely.

Q. Did you state last night, in your speech to the gentlemen composing this committee, that you could carry 180,000 tons of coal as cheap as 12,000 tons?

A. I did not; I said the only difference between the rates of carrying 180,000 tons and 12,000 tons a week was the increased expense of the train hands which carried it, and the wear and tear of the roads and machinery.

Q. How much would that be a ton?

A. It would be about thirty-one cents a ton, I suppose, because all the stationary expenses of the roads, the station agents, officers, and all other expenses, must go on.

Q. Then it would cost you at the rate of thirty-one cents a ton to carry this large quantity more than it would cost to carry the small quantity?

A. Yes, sir.

Q. Do you propose, under your present arrangement, to make the small quantity pay all that you would get on the large?

A. We are obliged to do it; we do not do it because we want to; the rate we get on the amount we are carrying now does not pay us hardly anything; whereas, if we carried the quantity we are prepared to transport, at an average of \$1 50 per ton, we should make a great deal of money.

Q. Then why don't you make a great deal of money by carrying the large quantity?

A. Because the Workingmen's society has refused to work unless they are paid a rate of wages which would entirely prevent the operators from working.

Q. And let *them* live—is that what you mean?

A. No, I don't mean that; I mean that they could get the same wages they got last year, and that every good miner, at the rate of wages offered, could make \$4 00 a day, clear of all expenses.



Q. You say that you expect to make the 12,000 tons pay as much as the 180,000 tons would pay?

A. No, sir, I didn't say that; the 12,000 tons, at \$6 08, would be only \$72,960, whereas the 180,000 tons, at \$1 50, would be \$270,000.

Q. As far as you can, you are making this policy pay for what you could have made?

A. Not at all, because we might have increased the tolls to \$20 00 a ton, and that would pay more; I am only doing it to such an extent as to make enough money to pay the expenses we incur.

Q. If you carry but a small quantity of coal at \$6 08 per ton for 93 miles, how much would carry if it was \$20 a ton?

A. I don't think that we would carry any.

Q. Then would you make any money?

A. No, sir; I suppose at \$10 we would carry some—not so much as at \$6 or \$8.

Q. Would not you make more at \$2 00?

A. I do not think, at \$2 00, within the last two or three weeks, we would have carried more than we do; we carried last week 37,000 tons, and I think that is as much as the outside collieries, who do not belong to the Board of Trade, could produce at any rate of tolls.

Q. You say that it requires men and agents, and track and cars, and all that kind of thing, as much for 1,000 tons as many thousands; would not that be the case if you did not carry any coal at all?

A. Yes, sir; not to such a great extent; there are expenses solely for the coal trade; at Richmond there has been an expenditure of five or six millions of dollars, solely for coal; we do not charge for the wharves.

Q. In distributing them you distribute to the same men from year to year?

A. Not always; we give them to those who represent the collieries; one man might be entitled to a certain proportion of room one year, and the next year, by reason of representing a less quantity of coal, he might be entitled to less room.

Q. Did you, last night, in the speech you made before the committee, reflect on the Workingmen's Benevolent association?

A. Only so far as I was pleased to call their ignorance of their own interests; I reflected very severely upon them for endeavoring to accomplish high wages by stopping the production of coal, because I said I thought it was very detrimental to the coal trade.

Q. As you carry but little freight at \$6 08 per ton from Port Carbon to Philadelphia, and as you would carry less or more, if it was \$20 00 a ton, don't the increase of freight stop the transportation of coal?

A. I think not, for this reason: There is an association of the operators called the Anthracite Board of Trade, which embraces almost the entire coal mining regions, that are dependent upon our road for an outlet; that association, with great unanimity, refused to accept the offer of the men, and declared that they would not start their collieries; that left no collieries that would ship except those outside of that organization, and these few have been at work with these high tolls, and have shipped as much as they could have done at a low rate.

Q. I find in the Governor's message this: "It appears that owing to a large reduction in the wages of the miners, work was suspended by them in January last. About the middle of the present month an arrangement was effected under which the work was resumed." Is that correct?

A. No; not so far as the Schuylkill region is concerned, by any means; I desire to state the particulars in which it is not correct.



Q. Is it correct about the Northumberland region ?

A. Not so far as the reduction of charges is concerned ; but it is correct so far as it relates to the Northumberland region, in regard to an arrangement being made for resumption.

Q. Was there any resumption ?

A. There was, and they are still at work.

Q. Is it the fact about the Luzerne region ?

A. I only know what I have been told by the companies themselves.

Q. Is it a fact as to the Columbia region ?

A. It is not, so far as I know ; that is only one small valley, with five or six collieries ; I embrace that when I speak of the Schuylkill region.

Q. Is it correct that "after a few days' labor the miners were informed by the operators that the transportation companies had largely increased their charges for freights—in some instances more than doubled them—in consequence of which the mining was again suspended, and so continues."

A. What the operators may have said to the miners I know nothing about ; I know that there was no stoppage of mining in Schuylkill county, because there had been no general resumption ; I believe that some collieries in the Northumberland district did stop, after having resumed ; the most of them are still working, and are sending their product to market by the Shamokin road.

Q. Are they not sending a great deal by the Northern Central—the Shamokin region ?

A. Yes, sir ; almost their entire products ; they always sent a pretty large proportion that way.

Q. Why is it that they now send it all that way ?

A. Because they can get it to market that way cheaper than by our road, at present.

Q. Can you tell me the proportion of their production they carried ?

A. I suppose it was three-quarters of it.

Q. Is it not more ?

A. I should think not, from the fact that we carried 50,000 tons, of which 43,000 were anthracite, and a pretty good portion of that must have come from the Shamokin region.

Q. Will you be kind enough to tell me whether, by the existing condition of things, the miners and laborers, and those dependent upon them, are greatly injured ?

A. Not at all, in my opinion ; they could go to work to-morrow morning if they want to, and get the same wages as when they stopped, and which they agreed to take for 1871.

Q. You say that they could get the wages they agreed to take for 1871 ?

A. Yes, sir ; that their officers agreed to take, acting for them.

Q. Do you mean that the association agreed ?

A. Yes, sir.

Q. Please point out in this paper [referring to the agreement] where this committee agreed to make that a basis for the men ?

A. Two of this committee, Mr. Ryan and Mr. Siney, called upon me with this paper, and said they had recommended it for adoption.

Q. Do you know that it was adopted ?

A. I was told it was.

Q. Please tell me whether the parties that constitute this Workingmen's association told you so, and if so, when and where ?

A. I was told by Mr. Siney.

Q. Was he the man who recommended it ?

A. Yes, sir ; he is the president of this association.



Q. You don't know, instead of knowing?

A. That is the only knowledge I have.

By Mr. White.—Q. I would like to hear Mr. Gowen's explanation of one part of the Governor's message?

A. The Governor states that a large reduction was made on the 15th of January. There was no reduction made, or threatened to be made, or designed to be made, or in any way attempted to be made, in the Schuylkill, Mahanoy, Columbia, Shamokin or Lehigh districts, whatever; the reduction that was made had been made by the three companies in the Luzerne region, and that had taken place on the first day of December preceding, and the strike in those regions was commenced on that day; the men of the Pennsylvania coal company, Delaware and Hudson canal company, and the Delaware, Lackawanna and Western railroad company, turned out and refused to work on the first day of December, 1870; the men of the Lehigh, Schuylkill, Mahanoy, Columbia and Shamokin regions did not stop work until the 10th of January, 1871, and they stopped work without any attempt having been made to reduce their wages in any way; so that while the general idea that the strike originated in the reduction of wages is true as applicable to the strike that occurred on the first of December, in the upper Wyoming coal fields, it has no relation to the strike that took place on the tenth of January in the remaining portion of the coal fields.

By Mr. Hall.—Q. What the Governor states, then, is not correct?

A. Not as to those regions.

By Mr. White.—Q. Do you know what the reason was why they struck?

A. I have it only from what they say.

[Mr. Hall objected to that as not being evidence; the men are here.]

Asa Packer, being duly sworn, testified as follows:

By Mr. Hall.—Q. Be kind enough to state whether you are the president of the Lehigh Valley railroad company?

A. I am, sir.

Q. How long have you been president of that company?

A. About three years; I can not say positively.

Q. Be pleased to state what the freights of your company were for coal on the first of January, 1871, in any part of the Wyoming region, or on the first of December last year?

A. I have no means of saying what they were; I don't recollect; they vary all through the season.

Q. I ask you what they were on the 1st of December, 1870?

A. I don't remember.

Q. I ask you what they were on the 15th of December, 1870?

A. Four cents a ton per mile; I cannot say at what date.

Q. What are they now?

A. Four cents a ton per mile.

Q. When were they put up?

A. I cannot say now; some time in January; I don't remember the date; I can get that evidence.

Q. As near as you can tell, how much were they increased—were they doubled?

A. I think they were; on some parts of the road they were not; I shall have to have the schedule of prices in order to answer correctly.

Q. The rates now charged on your railroad are four cents a ton per mile—what are you allowed to charge on your railroad?

A. We are allowed to charge considerably more than that.

Q. There is no limit?



A. No more than what is in all the charters ; I don't remember the wording of it ; the charter will speak for itself ; I never charged my mind with it.

Q. What is the length of your road ?

A. From Easton to Wilkesbarre is 101 or 102 miles.

Q. Don't you run to Pittston ?

A. Not the Lehigh Valley ; that is on the Pennsylvania and New York railroad.

Q. Under the same management ?

A. No ; Mr. Sayre is the president.

Q. Operated by the Lehigh Valley ?

A. Yes, sir.

Q. When was the Lehigh Valley company incorporated ?

A. That I am unable to say.

Q. Since 1849 ?

A. No, sir ; before.

Q. Since 1838 ?

A. Since 1838, I think.

Q. Do you charge any more than the rates you have given for any part of the road, for coal ?

A. Not that I know of.

Q. Do you ship as much as you did before the increase ?

A. Yes, sir, more ; after the 10th of January it fell off ; it has increased since.

Q. Have you in contemplation to increase further ?

A. No, sir.

Q. You stop at the Merchants' hotel when in Philadelphia ?

A. No, sir ; I stop at the Continental.

Q. Have you been at the Merchants lately ?

A. No, sir.

Q. Did you state, at either the Continental or Merchants, or at any other place in Philadelphia lately, that your object was to stop off the small operators in coal ?

A. No, sir.

Q. Why didn't you put up the rates before the suspension ?

A. The reason was, we thought we would be able to get sufficient quantities to keep us alive.

Q. Had you living rates before ?

A. It was less than it should have been.

Q. How much has the value of your stock increased since you put up the rates ?

A. I don't know ; there has been very little change.

Q. Was it not above par before, and is it not above par now ?

A. Yes, sir.

Q. What is it selling for, and what did it sell for ?

A. 60, I think ; par, 50.

Q. That was the case both before and since you put up the rates ?

A. I don't think there has been any material change since.

Q. Didn't you raise the freights after the men had resumed work, on your railroad ?

A. No, sir.

Q. You are sure ?

A. I am sure ; at least I think I am.

Q. Give me the exact date you raised ?



A. I cannot; I can get that evidence and give it to the committee; I have not the data by which I can speak.

Q. You say you did not raise after they resumed; didn't you raise after they decided to resume, and you were informed of the fact?

A. I don't know what time they resumed.

Q. Were you not informed of the fact that they intended to resume; didn't you raise afterwards?

A. I am unable to say what the date was; I am not aware that it was before or afterward.

Q. What was the price per ton for coal from Wilkesbarre to Elizabethport before the raise of freight by your company?

A. That I cannot say.

Q. Do you know what it is now?

A. I do not.

Q. Have you any officer of your road that can give this information?

A. Yes, sir; we have printed bills.

Q. Of what it was before and after?

A. Yes, sir.

Q. You don't know anything more about your road than that you believe that your rates have been doubled by this increase?

A. Yes, sir; I think they have; that is, on some parts of the road, not on all.

By Mr. Gowen.—Q. Before you raised your tolls, had you ever been told that the operators in your region intended to resume work?

A. No, sir; they had declined to do so.

By Mr. Hall.—Q. You did not understand me to ask you about the operators?

A. No, sir.

Q. Did you know whether all the operators in the Lehigh region, or some of them, intended not to resume?

A. All that I did know did not intend to resume.

Q. Who were they?

A. I don't know that I can name them.

Q. Is your son-in-law one of them?

A. Yes, sir.

Q. What is his name?

A. G. B. Linderman.

Q. Who is the other one?

A. C. O. Skeer.

Q. You say, so far as you know, that the operators did not intend to resume; I desire the name of every operator who told you that he did not?

A. I can only say that none of them did resume.

Q. Tell me, so far as you can, those that told you they would not; did they consist of your two sons-in-law?

A. I don't know that I heard them say anything about it.

Q. Then Mr. Linderman never told you that he would not?

A. No, sir.

Q. Did the other son-in-law ever tell you?

A. No, sir; I don't remember having any conversation with them about it.

Q. Please tell me the names of those that did tell you, as far as you can?

A. I heard Mr. Pardee, Mr. Markel, Mr. Sharpe; those are the only ones that I can recollect distinctly; they all belonged to what was called the Operators' association; the operators from our region have an association in which they fix the prices every month: they heard from the members of



that association what was the action of that association; that is the way I got my knowledge.

Q. Linderman and Skeer are in partnership?

A. Yes, sir.

Q. Do you know the fact that they made a written agreement with their men?

A. I do not.

Q. Did they tell you so?

A. No, sir.

Q. Was William Carr their agent on the 1st of November, 1869?

A. I don't know what his position there is.

By Mr. Olmsted.—Q. Was it not your purpose, or one purpose you had in view, in raising your transportation, to strengthen the hands of the operators, as against the workmen?

A. Well, sir, we did it more to strengthen ourselves than the operators.

Q. I want to know whether you had not that in view; was not that one of the purposes?

A. No, sir; as far as our action went it was wholly in reference to ourselves; we felt the importance of the operators getting to work upon a basis which would give permanency to their business and ours; but our action was entirely independent of the operators; it was with a view to our own business.

By Mr. Petriken.—Q. Did you raise the price with the intention of driving the Benevolent association to terms?

A. No, sir; we did not expect to drive any body; we only took action for ourselves.

By Mr. Hall.—Q. Had you any arrangement with the president of the Reading railroad?

A. No, sir.

Q. Had you any knowledge of what he was going to do, and he any knowledge of what you was going to do?

A. We had knowlege of what he was going to do, and in arranging our tolls we did as we have done for years, before Mr. Gowen was president; we always tried to arrange them about as near as what they have done after they have.

Q. Did you know what he was going to do, and did he know what you was going to do before both of you raised the toll?

A. I knew what he was going to do before we raised ours. I think I said, in his presence and in presence of others, that we should raise if he did; there was no bargain between us.

Q. Your object in raising the tolls was not in the interest or knowledge of the operators?

A. I think they probably knew it; it was no arrangement.

Q. Did the operators meet with you in New York?

A. There was some of them there.

Q. They met with you and consulted about what was to be done?

A. Yes, sir; we had several different meetings there.

Q. All before you raised the tolls?

A. Yes, sir.

Q. Didn't you do this for the purpose of making the workmen come into your terms?

A. The reason of our doing it, was we felt that we could not go to work until we had a guarantee that we could continue at work.

Q. That they would never charge more than you choose to pay?

A. No, sir.



Q. What then?

A. Well we believed that the prices were higher than the operators could continue to pay, and thereby we should be stopped when they were stopped; we cannot work without them.

Q. Then was it not in the interest of the operators?

A. Not by any agreement.

Q. Was it not in their interest?

A. Well I think it was, not only in the interest of the operators but the consumers.

Q. Do you expect to bring the miners and workingmen to terms?

A. I have no idea about that.

By Mr. White.—Q. You are the president of the Lehigh Valley road?

A. Yes, sir.

Q. Previous to the increase of your tolls, was there a consultation between the officials of the Reading, Delaware, Lackawanna and Western, the Lehigh and Susquehanna and the Delaware and Hudson canal companies?

A. Yes, sir; there were several.

Q. Was the advance by your company made as the result of those consultations?

A. It was not made by any arrangement; when the others raised we raised in the same proportion, as we always do; our prices are graded by the others; we do not reach tide-water ourselves, and our rates are fixed by the roads we connect with.

Q. Was the raise of the tolls on your road the consequence of the consultation with the different railroad officials I have indicated?

A. I don't think it was; I think the prices were fixed by all the others; I think we had arranged to raise ours previously; the arrangement was made some time before it was done, so as to give notice to the shippers.

Q. Was it the purpose of this consultation to advance the rates on all the roads I have indicated?

A. It was not called for that purpose.

By Mr. Hall.—Q. Was it called for any purpose?

A. I was called to consult as to what it was best to do, and the state of the market; it is a common thing for the parties interested to meet and consult as to the prices, and what the prospects are.

By Mr. White.—Q. Was the advance of rates of the different roads the subject of consultation at the meeting of those representatives of the different roads?

A. I think it was; I could not say what was said.

Q. What was the reason for the advance of freights?

A. The reason for the advance, so far as we are concerned, was that we could not afford to start our work for the small quantity we should be getting, and subject to be stopped again, whenever the market did not suit the price that these operators or miners had fixed to go to work for; our company was satisfied that the price fixed was such that our section of country could not keep going; therefore, we said, until there was a better prospect, it was not worth while to start.

Q. Was it agreed at this meeting that the freights on all these roads could be advanced?

A. It was understood so; but there was no agreement.

Q. Was it not the purpose of the advance of freights to disband, if possible, the W. B. A.?

A. No sir, it was not; so far as my knowledge goes, it was for the pur-



pose of working in harmony with them, if possible, and arrange a basis upon which we could work in harmony with them.

By Mr. Hall.—Q. How do you propose to work in harmony with them?

A. Whenever they will go on.

Q. And you get all the money and they do all the work?

A. No, sir.

Q. Do you propose to get into harmony with them by giving them less money than was paid them before you made this raise on freights, under the contract with your sons-in-law?

A. We propose giving them the rate, or we propose making our action, as far as we are able to do it, to put the coal in market at as reasonable price as it can be, and pay all hands a reasonable profit.

Q. Can that be done by charging four cents a ton per mile on your road?

A. We supposed this state of affairs would not last long, and we hoped to get on more harmoniously than we did get along.

Q. Do you expect to reduce?

A. We hope to.

Q. Will you carry coal for operators now that will resume work at less than your present rates?

A. So far as I am concerned I shall advocate the carrying of coal at as low a rate, and start whenever we think that prices shall be such that we can continue steadily to supply the market.

Q. If the operators resume work, will you carry coal for such of them as do resume, at less than the present prices?

A. That is not a question that has come up; when it comes up we will act upon it; I am only an officer of the company; those matters are always arranged by a consultation with our company; there is no such arrangement now; I presume there will be whenever the operators are ready to go to work—enough of them to justify us.

Q. Then it is without reference to the miners?

A. No, sir; the company cannot get the coal to carry unless the miners work, and for the small amount that has been carried it is better for us to lie idle.

Q. And thus make the miners go to work?

A. We should hope to, and thereby give regularity to the trade?

Q. Do you connect with the New Jersey Central?

A. Yes, sir.

Q. Have they increased their rates?

A. Yes, sir.

Q. In what proportion?

A. I don't know.

Q. What will it cost to get a ton of coal from Wilkesbarre to New York?

A. I cannot give the figures; Mr. Sayre can give them. We are very anxious to have the men go to work.

Franklin B. Gowen re-called:

By Mr. White.—State if you were present at those meetings in New York?

A. I was present at all of them; there were three in New York and one in Philadelphia; at the first meeting in New York there were present representatives of the Lehigh Valley, Lehigh coal and navigation company, the Delaware, Lackawanna and Western railroad company, the Delaware and Hudson canal company, the Pennsylvania coal company, and the Philadelphia and Reading railroad company, and there was also present a representative of the Schuylkill county coal operators; nothing



was done at that meeting in any way; no organization was effected, and no chairman called; we simply talked over this question of what would have to be done in order to bring about a settlement of this vexed labor question—whether it was better to offer the men stated wages throughout the year, or to offer them a basis. We agreed, without coming to any conclusion, that it was not right for us, being principally railroad men, to go into that question unless there were representatives of the coal miners present. We adjourned to meet at a future day, I think in the next week; on that occasion there were present, in addition to those I have named, delegates representing the Lehigh coal operators, and also one representing the lower or individual operators of the Wyoming coal field. It was on that occasion, and merely incidental to the meeting, that I stated that unless the operators all went to work in our region, we intended to put up the rates for carrying coal. The business transacted at that meeting was to appoint a committee, consisting of one representative of the railroad companies and one representative of the coal miners from each of the three great regions, (and I was added to that committee,) whose duty it was to report to a general meeting what would be a fair and equitable rate of wages in the three regions; for the difficulty which had always existed, and always baffled the coal mining question, was that one region was paying a different rate from another at the same time, and it lead to dissatisfaction among the men; this committee was ordered to report such a rate of wages as, when one region was getting a particular sum, the others ought to pay, to make them equal; that required investigation as to the cost of producing coal, and the relative price which a ton of coal produced to the different operators at the breaker; that was obtained, and a rate was reported—a given rate simply to be used as a basis for any future arrangement, in order to find out what proportion and what manner of pay would make the men of one region get the same as in another; there was no attempt or design to interfere with the association of the workmen; it was understood that each region should settle with its workmen as they thought best, and if they wanted to pay the basis they could pay it, and if they wanted to pay a certain sum they could do that; there was to be no combination to force upon a particular region a rate of wages different from another; that was clearly understood; having got that far, it was necessary to ascertain the cost of carrying to market, and what particular sum the operator would receive at his breaker; that was accomplished; we met again in New York, when we had representatives of the iron trade present; the iron manufacturers of the Lehigh region and the Schuylkill valley sent two delegates each, and on that occasion this same committee was continued, in order to report this rate of wages; we did not agree upon it at that time, and adjourned to meet in Philadelphia in a week. In the meantime our charges had been raised; we met in Philadelphia, and we agreed that the rate of wages announced at that meeting would enable the men to receive the same amount in the different regions. It seemed to be understood that Schuylkill county should fix the rate of wages, and whatever she fixed the other regions should endeavor to pay exactly the same, so that there should be no feeling that the men of one region were getting more money at one time than the men of another. We announced that offer; Schuylkill had previously made an offer; we increased that offer; the operators had offered a basis at \$2 50, which required a reduction of twenty per cent. below what they had got the year before, when coal sold at \$3 00; and then they agreed that it should advance in the same proportion as the year before. We insisted that if the men desired to share in the profits of the business, and have their wages raised when coal raised, their wages should



also fall when the price of coal fell; the Lehigh operators then fixed upon a rate which would give to that region about the same rate; and as the men of the three companies had offered not a basis but a fixed sum, it was understood that those three companies should offer to their men, or pay about such a rate of wages as the other men were getting.

This was the entire object of these meetings. It was to bring about harmony of action and invite co-operation from the men, and endeavor to get up a system of harmony and co-operation, so that these strikes should not occur. Above all it was agreed that we would endeavor to break down the system that had existed by which one region had endeavored to keep the other idle, and thereby profit by the increased price. We thought the coal trade ought not to be a speculation, but a legitimate business, and we knew it could not be so unless about the same rate was paid everywhere. This was our object. I told the men that from the repeated interviews I had had with Mr. Siney, I believed that, by sending for him, we could get him to invite delegates from Lehigh and Wyoming to meet a few of us and settle this question; they agreed that I should do so. I sent for Mr. Siney, and he came to see me. I then asked him whether, if I could get the operators of the Wyoming and Lehigh regions to meet me, he would not come as the representative of Schuylkill, and get one or two delegates from the other regions, and let us meet, with a view of settling this controversy. He thought it over a while, and said if it could be done he would not like to come, but would try to send some one. It was on this occasion that the offer was made, and he said he believed it was fair and right, and if it was not accepted he would resign his position and go back to work. It was the design of this meeting to bring about a fair rate of wages, that would be the same in all the regions, so that these repeated strikes should not occur. It was to prevent what had occurred before—some excitement keeping out one region, and running up the price in another region, which would be getting the benefit of it. It was to reduce this coal trade if possible to a certain regular business, and the way to do it was to invite the co-operation of the Workingmen's association, and get them to agree that some umpire should be appointed to settle the differences between them. That is all we did at the meetings; there was nothing done except this; it took several hours to arrange the particular rates of wages and the manner of paying them.

[Mr. Hall asked the committee to strike out that part of witness's testimony in relation to what Mr. Siney had said; Mr. Siney was here and could testify.]

By Mr. Hall.—Q. Will you please tell me where it was that Mr. Siney said this to you and when it was?

A. It was in my house, in Pine street, Philadelphia, on a Friday evening, either two or three weeks ago to-morrow—two weeks ago at least, possibly three.

Q. Was it the Friday evening previous to your meeting in Philadelphia?

A. Yes, sir, it was.

Q. Was there any body else present?

A. No, sir; it was the Friday after our meeting in New York—the Friday immediately preceding the day on which Mr. Siney and the committee was to meet, at Pottsville, the committee of the operators. I had a dispatch, saying he was afraid he could not come that day, because he had to be at Pottsville.

Q. I understand that you and the other railroad officials met the operators in Philadelphia for the purpose of bringing about an equitable and



fair rate of wages; I understand that you fixed a rate of wages for people who were not represented when you made that arrangement?

A. One that should be fair to them; we took their offer.

Q. You constituted yourselves the judges of what they were to get?

A. We constituted ourselves the judges of what we thought the business ought to pay.

Q. You offered them 10 per cent. less in the Lehigh region than they had been paid up to that time—is that what you say is fair for them to get?

A. Of course; I don't pay much attention to the Lehigh men; they fixed the price after knowing what the Schuylkill rate was. I think when coal sold for \$5 00 per ton, the men in the Lehigh region were to get about 10 per cent. less than the year before, when it sold for \$5 00.

Q. This meeting was held in Philadelphia, at which Hon. Asa Packer was president, and you were sent as the representative of the Reading railroad?

A. Yes, sir.

Q. Other companies were represented, to wit: President Sloan, of the Delaware, Lackawanna and Western; Mr. Dickson, of the Delaware and Hudson canal company; the president and treasurer of the Pennsylvania coal company; E. W. Clark, president of the Lehigh coal and navigation company; Charles Parrish, William Kendrick and Mr. Seigfried; was any one else there?

A. Yes, sir; Mr. Pardee, Mr. Coxe, Mr. Linderman, Samuel Thomas, H. S. Eckert, Henry Bushong and Mr. Borda, and some others.

Q. Who represented the Wyoming operators?

A. Mr. Parrish.

Q. Was there any body there representing these 75,000 men, composed of the Workingmen's association, whose wages were to be touched by this wand?

A. No, sir; we proposed to invite a conference with them afterwards.

Q. You proposed with Mr. Siney to invite a conference with the men after you had told them what you would give them?

A. Yes, sir.

Q. What was the object of the conference?

A. To see if they would receive it.

Q. You say this committee was appointed to fix a fair rate of wages—that all wages were to be alike?

A. As near as possible.

Q. Don't it require a great deal more trouble to mine coal in one region than in others?

A. There is no difference in the regions; there is great difference in veins; contract work has one hundred different prices; the only way we fixed what the rate of contract wages should be in any particular region, was by reference to what it had been established at; in Schuylkill different veins were worked, and some portions of those veins were hard, and took a great deal of trouble; when we fixed the rate of contract work in Philadelphia we fixed it at exactly the same rate that each particular colliery had given during the last year, at the same rate of coal.

Q. Every colliery made their contracts with their men, and not with men meeting in Philadelphia?

A. No, but they had that rate established, and it was known and recognized.

Q. You intended to fix the rate of wages without consulting the men?

A. We intended to fix the offer we would make them.

Q. To be followed as it has?



A. No; the rates of toll had been raised before this offer was made.

Q. The threat preceded the offer?

A. The rates of toll had been raised about the middle of February; this meeting, I suppose, did not take place until a week afterwards.

Q. Is there not such a thing as fire-damp at mines?

A. Yes, sir.

Q. Would you pay the men any more for those?

A. We always paid them more; they work on contract. In the Wyoming region, where the laborer goes into the breast with the miner, he runs the risk; there are not many that do that.

Q. Those few that do you would compel to work for the same?

A. Not at all; in all collieries there is a different rate of wages.

Q. You say the rates would fall with the price of coal?

A. Yes, sir.

Q. Suppose the price of coal got down so low that they could not live?

A. There was a minimum, that they should never be paid a rate of wages less than they are entitled to when coal sold for \$2 00; their minimum last year, in the Lehigh district, was \$5 00 at Elizabethport.

Q. Did not these operators create the suspension that took place in the winter by reducing it lower than the \$5 00?

A. No, sir, because the suspension had taken place before we had any meetings.

Q. Didn't they notify these men that they could not pay that much?

A. I don't know; I have no doubt that is true; my knowledge of mining leads me to suppose that, although they could pay that when Schuylkill was idle, they could not by any means afford to pay that when all the regions were at work.

Q. Could these men live, with large families, at those rates?

A. Yes, sir; I think any good miner, in Schuylkill county, at the rate of wages that has been offered to them, can earn from \$3 50 to \$4 50 per day without any trouble.

Q. And you conceive that it is right for you to meet in Philadelphia, with a company of operators, and fix a price for them, or else let them quit work?

A. They had quit work before we met; I think, and always thought, that an employer has some right to say what wages he will give.

Q. Has he all the right?

A. He has the right to say what he can afford to pay, and that right, I think, in all countries, has been conceded to a man whose capital is invested in business.

Q. Has he the right, then, if he fixes the rate of wages for the men himself, and they refuse to take what you say you offer, and quit work, to say that they caused the suspension?

A. You state a fact that has not occurred, because the suspension had been ordered and had commenced long before this arrangement was talked about.

Q. You stated just now that you believed that these men did quit because the Schuylkill region had quit, and Linderman could not pay them the price agreed?

A. I never said anything of the kind.

Q. Was not the price that Dr. Linderman was to give these men in the Lehigh region the minimum price fixed prior to the time of the suspension in the Lehigh region?

A. I don't know anything about the Lehigh region except what I have heard; I believe the minimum in the Lehigh region, in 1869, was \$5 a ton



at Elizabethport; I know nothing at all what Dr. Linderman or any other man asked them to take. When they made the offer of ten per cent. less than that it was after the suspension had commenced.

Q. Do you not know that after the suspension in the Schuylkill region Dr. Linderman said to the men that they could not give them the minimum price?

A. I don't know anything of the kind.

Q. Didn't you say you thought it was highly probable that was the case?

A. I said that from my knowledge I thought they could not afford to pay that when all the regions were at work; at the \$5 basis the Lehigh men made from \$4 50 to \$5 per day, and if ten per cent. were taken off it would give them from \$4 to \$4 50.

Q. You say you do not know anything more about these things; you did not hear them as common rumor throughout the coal regions at the time?

A. I never heard anything of that kind until one of the witnesses said so last night.

Q. When they met in Philadelphia what did they tell you they had done?

A. Nothing upon that subject.

Q. Why did you fix the price for operators in the Wyoming region who had agreed to give more?

A. We did not fix any price for operators in the Wyoming region at all; we left it to those companies to meet and deal with their men.

Q. In fixing the price for the three companies, you do not consider that a play upon words to say that you did not fix the price for the three regions?

A. No, I do not.

Q. You fixed the price for every company in the three regions?

A. No, sir; the Wyoming coal field has, at the upper end, three large companies engaged in mining and carrying their own coal; the wages of the men working for those companies were referred to the companies to settle with the men, with the understanding that they should be, as near as possible, what was paid in the other region; but in the other part of the field there are a number of individual operators engaged in mining, who mine nearly 2,000,000 of tons per annum; we did not fix any particular rate for them, but it was presumed they would get the same as the Lehigh region.

Q. What was the reason you fixed the rates at the lowest figure, and that after four months' suspension?

A. We did not fix them, because the men were to be paid according to the price at which coal was selling, with the proviso that the men were not to get above \$3 in our region until all the regions went to work.

Q. What is the reason you fixed the basis upon the lowest rate of the anthracite coal region?

A. We did not fix it on the lowest rate at all; we fixed the basis, to start with, at \$2 50; in the November before the men had been paid \$2 25, but if coal had sold at \$3 in March they were to get paid at the \$3 rate, and if it sold at \$5 they were to be paid at the \$5 rate, if all the regions were at work.

Q. Don't you know that the Schuylkill men were absolutely forced to accept the Gowen compromise for fear of starvation?

A. No, sir; on the contrary, there was no fear of starvation. I was invited by Mr. Siney to go to Pottsville in the month of July last to attend the meeting of the delegates of their entire organization, with a view to see if I could not agree with them upon some basis. I went to Pottsville;



we talked the whole thing over; there was no starvation there; the men told me they would stand out until they got their rights. The men treated me well.

Q. Have they not always behaved well?

A. Always, except that they have very peculiar ideas about the coal trade; their idea is to make it good by running the price up and stop people from using coal. At that meeting I appeared before them; they had been idle from the first of April; I told them that the year before they had been getting the \$3 00 basis as a minimum, which they could well afford, because the other regions were on a strike; I told them that when all the other regions were at work coal would not average more than \$2 50; hence I said "you must come down with the price of coal when it comes down, in the same way you go up with it when it goes up;" they said that was fair. They agreed with me that they would go to work at the \$3 00 basis, sliding down to \$2 00, and going up as coal went up. They asked me whether, if they would agree to that rate of wages, I would assist their association by reducing the tolls. We had put them up to \$2 50, I think from Port Carbon to Philadelphia. I agreed with the men that we would reduce our tolls very low, and keep them low for one month, and they then said that they would go to work at that rate; they handed the proposition to me in writing; I took it to the operators, and they told me I had injured them by agreeing to it, and wanted me to keep the tolls up; I said "no, we will keep faith with the workingmen."

Q. Was the fourth resolve of your committee this: "*Resolved*, That any region may go to work, upon the above terms being accepted by their men, but that no region shall commence until the men of such region have accepted said terms?"

A. Yes, sir.

Q. You met me in Philadelphia with these railroad men, to fix the wages of these workmen who were not there at all, and had no representation?

A. To fix the offer we made to them.

Q. And that no one of them could go to work unless they accepted your offer?

A. No; the operators declared they would not go to work.

Q. A man who was simply interested as a railroad man fixed the position of these men, and declared that they should not go to work unless they accepted his terms?

A. There was connected with us the Board of Trade, representing the united operators; I always declined to act in these meetings unless I was accompanied by the representatives of the operators. The advance was made some time subsequent to this meeting.

Q. And that on a construction of the charter that tolls and freight are not the same thing?

A. The construction of the charter had nothing to do with the meeting in Philadelphia; we claim the right to charge what we now charge because our charter permits us to do it.

Q. You charge it upon the ground that the tolls and freight are not the same thing?

A. Yes, sir; because the courts have so decided it.

Q. You don't know of any decision the court has made recently which looks strongly the other way.

A. No, sir.

Adjourned until to-morrow morning at half past nine o'clock.



HARRISBURG, *March 10, 1871.*

The committee met at half past nine o'clock A. M., all the members being present.

In order to allow the parties opportunity to procure witnesses, it was agreed that the committee should adjourn.

Adjourned until Wednesday next at half past seven P. M.

HARRISBURG, *March 15, 1871.*

The committee met at half past seven P. M., all the members being present.

Mr. Lamberton appeared on behalf of the transporting companies.

Mr. Brockway appeared as associate counsel with Mr. Hall.

Franklin B. Gowen re-called by Mr. Hall:

Q. When we adjourned the other day, it was suggested that you should bring the freight tariffs of the Reading railroad; have you brought them?

A. Yes, sir; here are the coal tariffs of the main road for five years, [producing tariffs;] these are the coal tariffs of the East Pennsylvania road as long as we have had the road, and this is the Lebanon Valley branch, and these are for the miscellaneous business—merchandise, &c., [producing the different tariffs.]

[Offered in evidence.]

Q. The last one of the Philadelphia and Reading freight and tolls on coal, is March 1, 1871?

A. Yes, sir; that is the one now in force.

Q. I understand the rate of freight for a ton of coal at present, from Pine Grove to Richmond, is \$6 20?

A. Yes, sir.

Q. And from Port Carbon to Richmond, \$6 08; from Mount Carmel to Richmond, \$6 07; from Schuylkill Haven to Richmond, \$6 00.

A. Yes, sir.

Q. What is the distance from Pine Grove to Richmond?

A. About 104 miles, I think.

Q. And from Tamaqua to Richmond?

A. 108 miles, I think.

Q. And from Port Carbon to Richmond?

A. 93 miles.

Q. And from Schuylkill Haven to Richmond?

A. 89 miles.

Q. Are not the rates for chestnut and pea coal higher from these points than for other coals?

A. They are twenty-five cents higher unless the shipper signs a release for leakage, which is most always done; the size is so small that the cargo is likely to leak out; we require a release from that leakage, or charge twenty-five cents per ton more.

Q. It is your purpose, is it not, to reduce the rates back to what they were as soon as the same amount of coal is transported over your road that was transported before the first of January last?

A. As soon as there is a general resumption in the coal region we really intend to make them lower than they were before, the moment the men go to work.



Q. Will you be pleased to tell me what the freight is now on any other class of merchandize that you choose to name, except coal, from Port Carbon to Philadelphia?

A. There are six distinct classes of other merchandize; the first class would be \$6 80 for 2,000 lbs.

Q. What is there in that class?

A. 100 different articles; there are some articles, light goods, that pay double these rates—looking glasses and fragile articles that are liable to be broken; furniture is assumed to weigh a certain amount; the first class would be \$6 80; the second, \$4 08; the third, \$3 60, and the fourth, \$2 80; then class "A" is \$1 94 per ton; that would embrace heavy articles, like iron ore, limestone, &c.

Q. Has there been any change in iron ore since the 1st of January last?

A. No; there has been no change within a year for limestone carried upon the main line or Lebanon Valley road.

Q. Any changes that have been made have been reductions?

A. Yes, sir, but not on the main line or Lebanon Valley; there was another rate, which was called a joint freight rate, which was comprised of articles that came over several different roads.

Q. I understand there has been no change in this grade of \$1 94 on the main line?

A. No, sir.

Q. And that any change that has taken place on the branches has been a reduction instead of an increase?

A. Yes, sir.

Q. What is the rate charged for coal on the East Pennsylvania?

A. From Pine Grove to Allentown \$2 94.

Q. What is that distance?

A. 82 miles.

Q. That would be at what rate?

A. \$2 94 a ton of 2,240 lbs., with five per cent. thrown off for waste we carry five per cent. over-weight.

Q. Is that the rule on your road?

A. Yes, sir, on all our roads on anthracite coal.

Q. State to the committee where the majority of the stock of the Reading railroad is owned?

A. I cannot tell that.

Q. As near as you can?

A. Nobody has the majority of it—no one man or association.

Q. Is the majority of it held in Europe or America?

A. In America.

Q. How much more in America than in Europe?

A. I don't know; more than a majority is held in America; it changes owners sometimes to the extent of 10,000 or 20,000 shares a day.

Q. That is, Reading stock held in this country.

A. Yes, sir.

Q. Do you charge the same rate for transportation and toll on your branches that you do on your main line?

A. No; we carried coal on the branches at a cent and a half per ton per mile; our present rates on the branches are three cents and a half per ton per mile; I may say, though, that it has always cost us three cents; the object of carrying it at a lower rate on the laterals is to make a greater amount of country tributary to the main line.

Q. State any roads that you have bought or leased since 1833, which you now operate?



A. The Chester Valley railroad.

Q. What is the length of that?

A. About 22 or 23 miles; then there is the Northern Liberties and Penn Township railroad in Philadelphia, about a mile and a half long; the Perkiomen railroad, which is being constructed and of which thirteen miles are finished; it is intended to run from Perkiomen Station, on the main line, to Emaus, on the East Pennsylvania railroad; then we are building a road called the Pickering Valley railroad, from Phoenixville to a place called the Eagle, about twelve miles—not yet in operation; then there is the Colebrookdale railroad, from Pottstown to Mount Pleasant; I think it is fifteen or sixteen miles in length; the next would be the Lebanon Valley, which has been merged into and become a part of the Reading railroad.

Q. What was the exact time you got the Lebanon Valley?

A. It was before my connection with the company; I suppose about the year 1855 to 1860.

Q. Is that all?

A. No, sir; there is the East Pennsylvania road, which is thirty-six miles long, from Reading to Allentown; there is a little road called the West Reading road, only a mile long; there is also a little road called the Port Kennedy road, which runs into the limestone district, four or five miles long; then there is the Little Schuylkill road, twenty-eight miles long; the Allentown railroad, from Port Clinton to Allentown, only five miles in operation; the Schuylkill and Susquehanna, fifty-four miles long, from Auburn to Rockport; the Mount Carbon road, with two branches, eight or ten miles altogether; the Schuylkill Valley road, seventeen and one-half miles, and an extension four miles further; the Mount Carbon and Port Carbon road, about three miles; the Mill Creek road; the Mahanoy and Shamokin road, which embraces five other roads, and most of the roads in the second coal field, and I suppose would aggregate nearly two hundred miles; the Mine Hill and Schuylkill Haven railroad, about one hundred and forty miles; the Pine Grove and Lebanon road; the Lorberry Creek and the Good Spring railroad; I think those are all.

Q. You cannot, without time to reflect, give me the time that you got possession or leased all of these roads?

A. No, sir.

Q. Can you do it and make it a part of your testimony, by paper?

A. Yes, sir.

Q. Will you do so?

A. Certainly; they have all, or nearly all, been acquired within ten or fifteen years; many of them have been built lately.

Q. Do you charge the same on the Lebanon Valley road as you do on the main line on coal?

A. No, sir.

Q. Can you give the charge for coal on the Lebanon Valley?

A. From Tamaqua to Harrisburg it is \$1 72.

Q. The whole of that would not be on the Lebanon Valley?

A. That is pro-rated; on the coal that goes from the main line to the Lebanon Valley we charge the same rate per ton per mile on both roads, after taking out of the gross rate a sum of money for the main line, which is equivalent to the loss on the laterals.

Q. Is there no coal going from the Lebanon Valley to the main line?

A. Yes, sir.

Q. On coal shipped from any point on the Lebanon Valley road, what is the rate per mile at present?

A. The only coal of that kind we get is from the Summit Branch com-



pany, which we carry from Dauphin to Philadelphia, for which I think we get \$2 20.

Q. What would be the distance from Dauphin to Philadelphia?

A. 120 miles.

Q. How much would the Lebanon Valley get?

A. We keep no separate accounts for the Lebanon Valley.

Q. Don't you have different officers?

A. Not at all; there is no Lebanon Valley railroad company in existence; it was merged into the Reading.

Q. Does that portion of your road get the same proportion of the \$2 20 as the main line?

A. Yes, sir; out of that \$2 20 we pay something to the Pennsylvania road for the use of their track from Harrisburg to Rockville—about 8 or 10 cents.

Q. What are your rates for shipping ore and limestone on the Lebanon Valley?

A. The same as on the main road; the same schedule that applies to the main road applies to the Lebanon Valley road for every thing, except articles that come to us over the Lebanon Valley that do not originate on that road, that come from other roads.

Q. Do you appear here representing any other persons or corporations than your own road?

A. I appear in answer to a subpoena, simply, of course, as representing our own road; I do consider myself acting as counsel for other roads and other people.

Q. Be pleased to give the names of those?

A. Until Mr. Lamberton relieved me, I acted on behalf of all that were here at the last meeting, including the Anthracite Board of Trade and the Reading railroad company.

Q. Do you act on behalf of all that represent the Anthracite Board of Trade?

A. I acted for them; I have not seen the parties since.

Q. Have you been in consultation with them since you were here?

A. No, sir.

Q. Will you be pleased to name those corporations?

A. The Lehigh Valley and Lehigh navigation company, and Anthracite Board of Trade, which embraces the operators in the Schuylkill region; they were here.

Q. Do you represent the Delaware and Lackawanna railroad?

A. No, sir.

Q. Do you know whether there is any representative of that road here?

A. Their president is here—Samuel Sloan—and their general coal agent, Mr. Storrs, is here, and General John Brisbin is here.

Q. You have not been in consultation with Mr. Sloan and these gentlemen?

A. I came up with them to-day.

Q. Not as counsel?

A. No, sir; I talked freely and fully with them.

Q. Is the policy adopted by all of you the same, with reference to railroad freights?

A. I cannot answer for anybody else on that subject; I have had no consultation with the officers of the Delaware and Lackawanna about their roads, nor the Delaware and Hudson.

Q. Does your company permit any coal to be sent over its roads at your old or less rates than you now charge, and if so, by whom?



A. None, whatever; not one pound; there is no coal carried in any way on our roads except at these rates, other than the bituminous coal.

Q. Has there ever been or is there now in existence any understanding between you and any of the operators or shippers of coal on your road, by which they have or can receive any drawbacks on freight?

A. None, whatever, except the public drawbacks; there are now no drawbacks except to the bituminous shippers, to certain ports; there are times in the year when we publish a list of public drawbacks that we allow to anthracite shippers, depending upon ports to which it is consigned, but that is public, and everybody gets it.

Q. Does the Reading railroad company, either in its own name, or through anybody else, as trustee or agent, hold coal lands?

A. The Reading railroad company owns no coal lands except a little tract of a 100 acres, which they got under transactions with the Schuylkill navigation company; the company owns a large amount of the stock of the Delaware coal company, which owns about 1,000 acres of land; the Reading company owns a majority of the stock of the Schuylkill and Susquehanna company, which owns many thousands of acres of coal lands; with that exception they own none.

Q. Did you purchase the Trevorton tract?

A. Not for the Reading company; I have bought, lately, as counsel, a large amount of lands, but that does not concern this matter; it was business for private individuals.

Q. I desire to know whether these purchases that have been made lately of large bodies of land are not indirectly for the Reading railroad company?

A. They are not; because the Reading railroad company has no right, I think, to hold those lands, and the lands have been paid for by private individuals.

Q. Is not your company interested in a bill now before the Legislature to incorporate the Franklin coal company?

A. The people owning these lands are interested.

Q. Are not they stockholders of the Reading railroad?

A. Some are, and some not.

Q. Are not the large mass of them?

A. Yes, most all; this is a matter in which I act for private individuals, and I claim that I have no right and ought not to speak of it; I appeared in that transaction as counsel for private individuals who have furnished the means wherewith these lands have been bought, and the title is in them, or in me as their agent and attorney.

Q. Are the persons for whom you are agent, attorney or trustee not stockholders in the Reading railroad company?

A. Some of them own stock; I think some do not.

Q. I would like to know how many do not?

A. I decline to answer any question that has no reference to the Reading railroad company, and seeks to make public a private transaction between myself and clients.

Q. Has your company any other bills now before the Legislature, or are there any bills before them that you are interested in, as agent or trustee for either the Reading railroad company or its stockholders, directly or indirectly, under which they can mine coal.

A. No, sir.

Q. Is the Reading railroad company interested in any coal operations in Pennsylvania, other than in transporting coal over its road?

A. Not in any manner except as transporters of coal; I mentioned the



three tracts of land which they have an interest in by virtue of owning the stock of the companies; there is no coal mined in any of them.

Q. Has there not been?

A. Not for fifteen years.

Q. I mean since you purchased?

A. I don't know when the company first acquired the stock of the Delaware coal company; but twelve or fifteen years ago there was a colliery on the Delaware company's lands; if the Reading company then owned the stock, it of course, to a certain extent, participated in the rent resulting from mining.

Q. Who purchased the Trevorton lands?

A. I purchased them myself for a gentleman in England; the Reading railroad company has no connection with that.

Q. Are those gentlemen stockholders in your company?

A. I decline to answer any question in regard to clients of mine for whom I transact business.

Q. Does the Reading road hold or have an interest, directly or indirectly, in an estate called the Brock estate?

A. No, sir.

Q. Do you know who does own that?

A. I do.

Q. Who?

A. It is owned by W. J. Newell; he lives in London.

Q. Is he a large stockholder in the Reading road?

A. I don't know that he is a stockholder at all, except as a partner in another house; I decline to answer these questions. The Reading road is not interested to the extent of one cent in mining coal; there are no lands that I have bought on behalf of any body connected with that company that are held or owned by more than three persons.

Q. If the Legislature should incorporate the Franklin coal company, and the Franklin coal company should do a large and remunerative coal business, would the stockholders of the Reading company, as stockholders, derive a benefit from it?

A. That would depend entirely upon whether they had any interest in it or not; I decline to answer any thing of that kind, for nothing of that kind exists.

Asa Packer re-called by Mr. Hall:

Q. Have you got the freight tariffs that we desired?

A. Mr. Sayer, the superintendent, has those, and will produce them.

Q. I desire to know whether the Lehigh Valley railroad company has not got a large tract of coal land in Luzerne county; and if so, how much and where?

A. The Lehigh Valley railroad company have not, but they have bought stock in companies that do own them.

Q. Do they control the stock in those companies that do own them; do they own a majority of it?

A. I think they do.

Q. It is a large body, is it?

A. I suppose it to be so.

Q. Can you give us the number of acres?

A. Probably 1,500 or 2,000 acres.

Q. Has it been worked?

A. It has.

Q. And coal sent to market and sold?



- A. Yes, sir; but not on account of the Lehigh Valley railroad.
- Q. Is the company interested in coal lands about Pleasant Valley?
- A. The company are not.
- Q. You own the majority of stock in a company that owns the lands and works the mines?
- A. Yes, sir.
- Q. Is there any other place that this state of affairs exists?
- A. The company own lands in the Beaver Meadow and Hazleton region, what they acquired by the merger of those two companies.
- Q. How much?
- A. I should say probably 4,000 or 5,000 acres.
- Q. Has that been operated?
- A. Yes, sir.
- Q. And shipped over your road?
- A. Yes, sir.
- Q. Together with the other one?
- A. Yes, sir.
- Q. Have you got a system of drawbacks on your road?
- A. Not that I am aware of.
- Q. Would Mr. Sayre know?
- A. I think he will; I don't think there is any.
- Q. Have you not refused operators transportation to remove coal even at your present prices within the last two months?
- A. No, sir; not to my knowledge.
- Q. Didn't you refuse William Taggart?
- A. No, sir.
- Q. Didn't the company?
- A. Not that I know of.
- Q. Do you say that you find the right to charge four cents a ton per mile for coal in your charter?
- A. Yes, sir; freight and tolls.
- Q. Does not your charter expressly confine you to one and one-half cents per ton per mile for toll and one and one-half cents per ton for transportation?
- A. Not that I am aware of.
- Q. What are the rates of freight now charged by the Pennsylvania and New York canal and railroad company?
- A. Four cents a ton per mile, I think.
- Q. When was your company incorporated?
- A. Within four or five years, I think.
- Q. Business has been largely stopped along the line of the Lehigh Valley road?
- A. Yes, sir.
- Q. Most of the furnaces have gone out?
- A. Yes, sir.
- Q. And that is the case with all other business that uses anthracite coal?
- A. Yes, sir; generally, not all.
- Q. Can you give the committee an idea of the number of men thrown out of employment by these manufacturing establishments in the Lehigh Valley?
- A. I cannot.
- Q. Can you give within 1,000 or 2,000, or even 5,000?
- A. No, I cannot; I am not familiar with the business; I don't know how many were thrown out; I should suppose there would be from 5,000 to 10,-



Q. These establishments are lying idle now?

A. Some of them; most of them, I think, were idle before the raise took place.

[The committee consented that the charters should be considered as evidence.]

Robert H. Sayre, sworn.

Examined by Mr. Hall.—Q. You are the superintendent of the Lehigh Valley railroad?

A. Yes, sir; general superintendent.

Q. Residing where?

A. Bethlehem.

Q. Your company controls the Lehigh and Susquehanna?

A. It is owned by the Lehigh coal and navigation company; I believe it is leased to the Central.

Q. Your company controls the Pennsylvania and New York canal company?

A. Yes, sir.

Q. The rates are the same on both?

A. Yes, sir.

Q. What are the rates?

A. Four cents a ton per mile.

Q. What were they on the 1st of December last?

A. About one cent and six-tenths, I believe; it was a cent and a half on the Pennsylvania and New York.

Q. And what on your road?

A. On the 1st of December it was a cent and fifty-six one-hundredths on the Lehigh Valley.

Q. Have you the present schedule, and the schedule for some time past by which those two companies carried coal?

A. I have of the Lehigh Valley.

Q. Please give it to us?

A. Yes, sir; this is for the present.

[Paper produced.]

Q. Was it ever as high as now?

A. No, sir.

Q. How high was it ever before?

A. One dollar and fifty-five cents, I believe.

[Schedule of rates from 1856 to the present time offered in evidence marked "tariff Lehigh Valley railroad, exhibit A."]

Q. You have not got it for the New York and Pennsylvania?

A. No, sir; but it was a cent and a half.

Q. Since its incorporation?

A. No, sir; I think they started at two cents, and have gone gradually down as coal fell.

Q. You did not go up until lately?

A. No, sir.

Q. And then you jumped up to four cents?

A. Yes, sir.

Q. Do you operate the Sullivan and Erie railroad?

A. No, sir.

Q. Do you furnish the rolling stock?

A. We are furnishing cars and locomotives.

Q. On contract?

A. No, sir.



Q. Are you going to lease the road?

A. I don't know; probably we will.

Q. Are you not negotiating for a lease?

A. No, sir; not at present.

Q. Does your company own large tracts of coal lands?

A. No, except the Hazleton lands; that we got by merger.

Q. How much?

A. About 1,800 acres, at Hazleton, Luzerne county.

Q. Is that worked now?

A. Not now.

Q. Most of the manufacturing establishments have stopped along the line of your road, have they not?

A. Fully half of them.

Q. I mean those that use anthracite coal?

A. About half the furnaces, I think, are blown out.

Q. Is it not true that a number of them have got to using bituminous coal?

A. Rolling mills have.

Q. Brought from Pittsburg?

A. No, sir; they bring part of it from Towanda; another portion from the Pennsylvania road; the rolling mills have always used a portion of bituminous coal.

Q. Is Towanda coal bituminous?

A. Semi-bituminous.

Q. Do you bring some from Broad Top?

A. Yes, sir; we take that from the Reading road at Allentown.

Q. Can you tell how many men have been thrown out of employment in the Lehigh valley by the stoppage of these establishments?

A. No, sir, I don't know that I can approximate it; I am a stockholder in an iron company; nearly all the men are employed in repairing the furnaces.

Q. You stated that the Pennsylvania and New York canal and railroad company charge now the same that your company does—four cents a ton per mile?

A. Yes, sir.

David T. Bound, sworn.

Examined by Mr. Hall.—Q. Are you the general superintendent of the Lackawanna and Bloomsburg railroad?

A. I am superintendent.

Q. And reside where?

A. Kingston.

Q. What is the length of your road, and what does it connect with?

A. The length is 80 miles; it connects at the northern end with the Delaware, Lackawanna and Western, at Scranton, and at the southern end with the Philadelphia and Erie, at Northumberland.

Q. It fills up a gap of 80 miles?

A. Yes, sir.

Q. How long have you been superintendent?

A. About two years.

Q. Where is the majority of the stock held?

A. I don't know.

Q. What officer could tell that?

A. I could not tell you.

Q. Who is president of your road?



A. W. R. Storrs.

Q. I understand you to say that you do not know that the majority of your stock is owned and held by the Delaware, Lackawanna and Western railroad?

A. I do not.

Q. Have you got the present tariff on your road?

A. Yes, sir.

[Witness produces tariff. Offered and marked ex. "B."]

Q. What is the distance from Pittston to Northumberland?

A. About 71 miles.

Q. What do you charge to carry a ton of coal that distance now?

A. \$2 75.

Q. When did you increase?

A. Some time in February; I don't remember just the date.

Q. Give the date if you can?

A. [Looking at paper.] February 20.

Q. What had it been before?

A. \$1 25, I believe; I am not positive.

Q. Were the rates raised relatively between other stations in the same proportion per mile?

A. We never make rates per mile on that road; we make them cover all the mines; our mines are short distances apart, and we make the same rates to all parties from all points.

Q. I cannot understand what you mean?

A. We charge as much for carrying a ton of coal from Plymouth as from Kingston.

Q. How far is Plymouth from Northumberland?

A. 60 miles.

Q. You charge as much for carrying coal that 60 miles as for 70?

A. Yes, sir.

Q. You charge \$2 75 for 60 miles?

A. Yes, sir.

Q. What do you charge from Shickshinny to Northumberland?

A. The same price; that is about 55 miles.

Q. And you charge \$2 75?

A. Yes, sir.

Q. What do you charge from Shickshinny to Beach Haven on coal?

A. \$2 00.

Q. How many miles?

A. It is about nine miles.

Q. You charge \$2 00 for that?

A. Yes, sir.

Q. What do you charge from Shickshinny to Berwick?

A. \$2 10.

Q. How many miles is that?

A. About 12 miles.

Q. How much from Shickshinny to Bloomsburg?

A. \$2 20.

Q. How many miles?

A. About 24 or 25.

Q. What do you charge to carry coal from Shickshinny to Danville?

A. \$2 50.

Q. How many miles is that?

A. About 35.

Q. What did you charge before this raise from Shickshinny to Danville?



A. \$1 25.

Q. What did you charge from Shickshinny to Northumberland before?

A. \$1 25.

Q. What did you charge before the raise for carrying a ton of coal from Pittston to Northumberland?

A. I believe it was \$1 25.

Q. Now you charge more for carrying a ton of coal nine miles than you did for carrying a ton of coal from Pittston to Northumberland before the raise?

A. I don't know; I have not looked to see.

Q. Are you making these charges under your charter?

A. Yes, sir.

Q. And you say your charter allows you to do this?

A. Yes, sir.

Q. When was your company incorporated?

A. I don't know.

Q. Do you know that the Legislature of 1870 passed a law repealing the supplement of 1856?

A. I do not, positively.

Q. Haven't you been receiving freights under this statute of 1870?

A. We are moving no freight to Bloomsburg, only by special agreement.

Q. What is that special agreement?

A. It is on limestone from Lime Ridge to Bloomsburg.

Q. What is that?

A. For hauling and delivering to the furnaces is 25 cents per ton.

By Mr. Lamberton.—Q. In whose cars is this coal carried?

A. Our own.

Q. Have you been carrying any coal in your cars at these high rates?

A. Yes, sir.

Q. How much?

A. Probably 400 tons a day.

Q. How many tons a day are you prepared to carry, with the equipment of your road?

A. That would depend upon where we carried it to; if we carried it the length of our road we could carry 3,000 tons a day.

Q. Then the stock with which you could carry 3,000 tons a day the whole length of your road is idle, except so much as is used for carrying these 400 tons?

A. Yes, sir.

Q. What is the difference between the expense to which the company is subjected in carrying 3,000 tons and carrying 400 tons a day?

A. The difference would be the wear and tear of the track and machinery to haul it; we keep the same number of men to repair our tracks, and agents, superintendent, &c.

Q. Then all the other expenses are kept up except these you have mentioned?

A. Yes, sir.

Q. Are these high rates charged when individual shippers have their own cars?

A. No, sir.

Q. Can you tell me what is the average of expense to which you are subjected when your road is fully employed?

A. About \$65,000 to \$70,000 monthly; that is for transportation expenses.

Q. To how much less than that are you now subjected in carrying these 400 tons a day?



A. Very little; our expenses were nearly \$60,000 for last month.

By Mr. Hall.—Q. What did I understand you to say the capacity of your road is per day?

A. I think I told the gentleman that we were prepared to carry 3,000 tons.

Q. And your policy has been such as to reduce it down to 400?

A. No, sir; not our policy.

Q. Something has reduced it down to 400 since you raised your rates?

A. No, sir.

Q. Was it reduced before?

A. Yes, sir.

Q. How long before?

A. Ever since the strike we have not averaged 500 tons a day, I don't think.

Q. Who gets these 400 tons?

A. The furnace men principally.

Q. Have they not stopped?

A. Some of them.

Q. If they have stopped will they need 400 tons, or 40, or 4?

A. I could not tell you what they will need; we are moving about 400 or 500 tons a day to the furnaces and local business generally.

Q. You propose, under your present system of management, to make the 400 tons pay you as much as the 3,000 tons would have paid you before?

A. I don't know that we propose that.

Q. Don't you do it?

A. No, sir.

Q. What do you charge per ton for limestone from Lime Ridge to Bloomsburg?

A. From Upper Lime Ridge to Bloomsburg twenty-five cents—six miles; that is in our own cars.

Q. You have a right to do that under your charter?

A. Yes, sir.

Q. Don't you know that your charter expressly confines you to twenty cents?

A. No, sir.

Q. What do you charge for Lake Superior iron ore from Northumberland to Danville?

A. I believe the rate is forty-five cents.

Q. How many miles?

A. Twelve miles, I think.

By Mr. Lamberton.—Q. What does this charge on limestone include?

A. It includes delivering it at the furnace, after it leaves our track; we run it up after it leaves our main track, and switch it for them.

Q. After it leaves your main track you push it over a private road?

A. Yes, sir.

Q. How many pounds to the ton?

A. 2,240; we charge for the work we do over the switch, from the main line to the furnace.

By Mr. Hall.—Q. Does your charter allow you to do that?

A. I don't know any thing about that.

Q. You are charging without knowing anything about the law?

A. I presume we have a right to do it.

William Fox, called by Mr. Hall, being duly sworn, testified as follows:

Q. What is your business, and where do you reside?



A. I reside near Danville; I have been interested in a small rolling mill.

Q. Is it running?

A. No, sir.

Q. When did it stop?

A. On the first day of this month, I think.

Q. Did it stop, on account of the high rates of freight on coal?

A. Partly that, and partly because we had a large stock of iron on hand and there did not seem to be much sale.

Q. Has not iron decreased in price?

A. I don't know that it has; I have heard said so.

Q. What were the freights you were paying for coal prior to the raise?

A. \$1 25.

Q. What have they been since?

A. We have not paid any freights on the advanced rates; I think it is \$2 50.

Q. Why don't you pay freights on the advanced rate?

A. I don't think it would pay to give the advanced rates, not having a sale for the iron, and having a pretty large stock of iron on hand at the time.

Q. Did you desire the men to take less wages?

A. I did.

Q. Didn't you say that if they would deduct  $12\frac{1}{2}$  per cent. you would pay the freight and continue running the mill?

A. I did.

Q. How many men have been thrown out of employment?

A. I think we employed between sixty and seventy.

Q. Are they idle?

A. I am not able to tell you; several have gone to other mills.

Q. Do many of them have families?

A. I am not able to tell; I know a number have families; a good many were strangers to me.

Thomas Beaver, called by Mr. Hall, being duly sworn, testified as follows:

Examined by Mr. Hall.—Q. Be kind enough to state where you reside and what is your business?

A. I reside in Danville, and manufacture railroad iron.

Q. Have you a rolling mill there?

A. Yes, sir; and four furnaces.

Q. How many men have you been employing?

A. From 1,000 to 1,200.

Q. Have you stopped all these furnaces and this mill?

A. The furnaces were stopped; the rolling mill is at work at present; we suspended the rolling mill on the 25th of January and resumed on Tuesday of last week.

Q. Did your men strike?

A. No, sir.

Q. Did you stop the furnaces on account of the scarcity of coal?

A. Yes, sir.

Q. How many men are idle on account of stopping those four furnaces?

A. About 170.

Q. Many of them have families?

A. Yes, sir; it was not in consequence of the advance in freights on coal that we stopped our furnaces; it was the high cost of mining coal; the price they asked at one of our principal collieries, and the refusal to



work, is the cause; we stopped our Pittston colliery about the 8th of March; our men demanded a price which we thought entirely too high; they demanded a price fixed upon a basis of \$9 50 for coal at Elizabethport, which we did not feel disposed to give; they sent us in a notice, which I can give.

By Mr. Lamberton.—Q. Have you got that?

A. Yes, sir; we offered a basis of \$6 50, which is  $18\frac{3}{4}$  per cent. above the price for October.

Objected to by Mr. Hall, as irrelevant; the question was whether the companies had violated their charters.

Mr. Lamberton said he proposed to show what was the cause of the suspension, and what was the reason that Mr. Beaver could not keep up his furnaces.

Mr. Hall maintained that the committee was confined to the solitary inquiry as to whether the companies had violated their charters or not.

The objection was over-ruled.

By Mr. Lamberton.—Q. What was the cause of the stoppage?

A. It was in consequence of the high cost of coal and the large stock of iron on hand.

Q. What caused the high cost of coal?

A. We were unable to induce our miners to accept what we considered an equitable basis.

Q. Are you the proprietor of a colliery?

A. We are.

Q. Do you take out coal for your furnaces?

A. We do.

Q. Will you state whether there was a strike at that colliery?

A. There was a suspension; I presume you might call it a strike.

Q. When did that take place?

A. Since the first of March, at Pittston.

Q. What caused this high price of coal?

A. The high cost of mining; our miners at Pittston demanded a basis of \$9 50, which we declined to pay; we offered them the same price that Mr. Parrish paid, which was \$6 50; we regarded \$9 50 as an imposition, and we declined paying it and they stopped.

Q. How much was this \$9 50 above what was paid the year before?

A. I presume that the average of the year 1870 would probably be \$6; \$9 50 would be an advance of  $43\frac{3}{4}$  per cent. above the \$6.

Q. I want you to produce any writing showing that demand—what they required of you?

[Witness produces paper.]

Q. Who is D. Davis?

A. I understand the signatures to be the names of a committee of miners at Pittston.

Q. That paper was presented by a committee of miners?

A. Yes, sir; to our superintendent at Pittston, Mr. Davis.

Q. It was addressed to your superintendent?

A. Yes, sir; our mining boss.

Q. State whether this paper was received by your superintendent, and whether Mr. Davis is your superintendent?

A. Mr. Davis is our local superintendent; this was handed to the superintendent of our mines, Mr. Edwards.

Q. State whether you were informed of that demand, and whether it was because of your refusal to comply with it that they suspended work at your colliery?



Objected to by Mr. Hall. Admitted.

A. The demand for this rate of wages was made to us through this committee; we proposed to pay \$6 50, which they were entitled to according to our understanding of the arrangement, that being the price paid by other operators, all working under the same basis; we submitted that to our men, and they refused to accept it.

Objected to by Mr. Hall. Admitted.

Q. State whether you know as a fact that this increased demand was made upon you?

A. I do.

By Mr. Hall.—Q. Of your own personal knowledge?

A. I do not come in contact with the men; we have a general superintendent.

Objected to by Mr. Hall; the superintendent could be a witness.

By Mr. Lamberton.—Q. Did you instruct your superintendent to refuse to pay more than what was paid last year?

Objected to by Mr. Hall as irrelevant. Admitted.

Q. Did you refuse to pay this, and so direct your agent?

A. We did, and the men quit mining in consequence of our refusal.

Q. How long have you been engaged in the iron business?

A. Thirteen years at Danville; some few years previously at other points.

Q. You are a very large manufacturer?

A. Not very large; we produce about 25,000 tons of rails, and about 30,000 tons of pig iron.

By Mr. Hall.—Q. Did you not say to some of these very men, when they made this demand for increased wages, that you would pay it if the railroad would not increase their rates on coal?

A. No, sir; neither did we authorize our agent to say anything of the kind.

Q. Didn't you say that to H. W. Evans?

A. No, sir.

Q. Nor to anybody else?

A. No, sir.

Q. What was your agreement with these miners?

A. We paid them sixty-nine and a-half cents a ton upon a basis of \$5 00 upon coal at Elizabethport, and an advance of twelve and a-half cents above the sixty-nine and a-half cents for every dollar that coal sold for at Elizabethport above \$5 00; that was the agreement.

Q. What do you mean by the agreement?

A. That was the arrangement made with them.

Q. Had not they a right to raise their wages?

A. I suppose they have.

Q. Have they not a right to refuse to work?

A. Certainly; and we have a right to decline paying what they ask.

Q. You don't pretend to compel them to work if they do not choose to?

A. No, sir; we don't pretend to own them.

Q. They did simply what they had a right to do under the law?

A. They did it in violation of the agreement they made with the committee.

Q. Didn't you agree to pay one-eighth of the advance?

A. One-half of the advance on the sales of coal at Elizabethport.

Q. Are you a large stockholder in this railroad?

A. I don't own a dollar's worth.



Q. The men had a right to make this demand, and you had a right to refuse?

A. I do not conceive that they have a right to refuse, under the agreement.

Q. Where is the agreement?

A. We have it at home.

Q. Didn't you say to a committee of laborers that you would pay the laborers if you could get coal?

A. No, sir—not the \$9 50 basis. They had been working for two years at a basis fixed by Mr. Parrish.

William R. Storrs, called by Mr. Hall, being duly sworn, testified as follows:

Examined by Mr. Hall.—Q. State whether you are connected with the Delaware, Lackawanna and Western railroad?

A. Yes, sir.

Q. In what capacity?

A. As general coal agent.

Q. Where does the road run from and to?

A. From Great Bend to the Delaware river.

Q. How many miles long?

A. My impression would be from 80 to 100 miles.

Q. Do they not own the road from Great Bend to Binghampton?

A. I cannot tell you.

Q. What are the rates of freight for carrying coal on your road now?

A. I could not tell you.

John Brisbin, called by Mr. Hall, being duly sworn, testified as follows:

Examined by Mr. Hall.—Q. What is your connection with the Delaware, Lackawanna and Western railroad?

A. I am one of the managers, and also the general adviser.

Q. Where does the road run from and to?

A. The road proper runs from a point about three miles north of Great Bend to the centre of the Delaware river, dividing the States of Pennsylvania and New Jersey.

Q. How many miles long?

A. About 116; that is the Delaware and Lackawanna railroad proper.

Q. What roads do you own, and what roads have you leased?

A. We have leased the Warren railroad, extending from the Delaware river to New Hampton junction; the Morris and Essex railroad, extending from Phillipsburg to Hoboken, all together in the State of New Jersey.

Q. Do you own or lease any roads in Pennsylvania other than those you have named?

A. No, sir.

Q. Have you merged any other roads with yours—the Delaware and Cobb's Gap?

A. That is a part of the Delaware and Lackawanna road proper; we leased a little road, about two miles long, known as Keyser Valley road.

Q. Where does that run from?

A. From a point on our main line, about two miles north of Scranton, down to some colliery.

Q. What are the freights for coal per ton per mile on your road?

A. Previous to December 1st we had no coal rates; since that time, for what we have transported short distances to way stations, we have charged at the rate of four cents per ton per mile.



Q. Have you got the freight tariff?

A. There is none on coal.

Q. Do you charge what you please?

A. We charge what I said we charged.

Q. Is it an arbitrary charge that is fixed one day and taken off the next?

A. Previous to the 1st of December we had no coal tariff, because nobody offered us any coal for transportation; after the suspension of work two or three very small operators about Scranton wanted to send some coal to way stations; we had no offer to send coal to New York; this that was offered for way stations we took for four cents per mile; there was no writing, only the offer to take it at that rate.

Q. Was this done by an arrangement with any other road?

A. No, sir.

Q. When did this take place—this four cents per mile?

A. I cannot tell the date; it was whenever these parties wanted to ship.

Q. Had there been a meeting, at which your road was represented, with other roads prior to that time?

A. No, sir; that rate was fixed before there was any meeting.

Q. Has the rate been changed since?

A. No, sir.

Q. You understand that your charter allows you to charge one and one-half cents per ton per mile?

A. Our charter allows us to charge for transportation in our own cars just what we choose; there is no limit.

Q. Then you contend that the limit in your charter is confined to tolls?

A. The limit in our charter, so far as relates to the price we may charge, refers to what we transport in cars of other parties.

Q. That is what you call tolls?

A. No, sir; what I call tolls is the use of the road simply, where the shipper furnishes motive power as well as cars.

Q. Are you limited as to that?

A. I think there is no limit; I don't think there is any rate of tolls fixed in our charter, but I will not speak positively; if there is it is in the Leggett's Gap charter, in 1832.

Q. Don't that fix it expressly at  $1\frac{1}{2}$  cents per ton per mile on coal?

A. If I was going to answer that question I would say no; I have not read it for a good while; so far as any regulation of tolls, under the charter of 1832, is concerned, that has been abrogated since; we are under the nineteenth section of the general railroad law of 1849.

Q. Do you own coal lands?

A. Yes, sir.

Q. How much?

A. Well I could not state with any reasonably degree of accuracy; if I was going to approximate I would say from 7,000 to 8,000 acres.

Q. Does your charter allow that?

A. I believe our legal rights would allow us to hold some 12,000 or 15,000 acres.

Q. How many collieries have you got?

A. A large number; I cannot tell the exact number.

Q. How did you come to fix just that rate—four cents?

A. We thought it was a reasonable rate for the short distances; there was none of it carried over 60 miles; a good deal of it 10 and 16 miles.

Q. Had you had a rate ever before of any kind for transporting coal?

A. Years ago we transported coal to some extent for other parties, in their cars.



Q. Did you transport coal in your own cars prior to that time for any rate?

A. Not to amount to any thing; we may occasionally have sent a very few car loads.

Q. What did you charge for that?

A. I cannot tell you; I don't think we sent a dozen car loads; I recollect, in two or three instances, we sent it for nothing, as a matter of accommodation.

Q. Didn't you have a charge whether you sent much or little—was not the rule that it should be  $1\frac{1}{2}$  cents per ton per mile?

A. Never.

Q. Was it more than that?

A. Oh yes; we always charged more than that when we charged.

Q. How much more?

A. I cannot tell; this was several years ago.

Q. You use your road principally for carrying your own coal?

A. Yes, sir.

Q. How much coal had you on hand at the time of this suspension?

A. Well it would be guess-work; perhaps, all told, 150,000 tons, which would not any thing like cover the quantity we had then sold in advance, to be delivered; we had sold it to be delivered, as we sell monthly to be delivered.

Q. You always make your contracts ahead?

A. No, sir; but we sell at auction one month the product we anticipate obtaining for delivery the next month.

Q. What was the price that you sold this 150,000 tons at?

A. I cannot give the figures; I guess the average at the last auction sale was less than \$4 00 at Elizabethport.

By Mr. Lamberton.—Q. What was the average number of tons carried, since the first of December, over your road?

A. I cannot answer the question precisely, it would be guess work; it has been less than 200.

By Mr. Hall.—Q. You mean for other people?

A. For any body; we had none.

By Mr. Lamberton.—Q. When was work suspended in your collieries?

A. The 1st of December.

Q. Had the rates of toll any thing to do with the suspension?

A. Not at all.

Q. You had no rates at all before the 1st of December?

A. No, sir.

Q. You could not supply enough to fill your contracts?

A. I know we did not; a good many sued us.

By Mr. Hall.—Q. These 200 tons that you send belongs to other people?

A. Yes, sir.

Q. Is there any proviso about these sales you make at auction in New York as to delivery—suppose there is a strike or break?

A. There is a provision in the conditions of our sales that if we are prevented from obtaining the coal by reason of strikes or obstructions to the transportation, we shall be exonerated.

By Mr. Lamberton.—Q. You did deliver this 150,000 tons?

A. We delivered all we had to deliver, with the exception of such a quantity as we deemed we would require for use in our locomotives.

By Mr. Hall.—Q. I understood that you were sued?

A. Yes, sir.

Q. Did they recover?

A. They have not been tried. They said the conditions were invalid.



Thomas Dickson, called by Mr. Hall, being duly sworn, testified as follows :

Q. What road are you connected with ?

A. The Delaware and Hudson canal and railroad company ; the railroad runs from the mines to Honesdale—32 miles.

Q. When was that incorporated ?

A. In 1823.

Q. In Pennsylvania ?

A. Yes, sir.

Q. Had it been incorporated in New York before ?

A. Yes, sir ; our corporate rights are in the State of New York.

Q. What do they charge on that road for carrying coal now ?

A. We have not any charge at all ; we have not carried any.

Q. Have not you a rate ?

A. No, sir ; we never carried any coal for anybody else except for the Erie railroad company, under especial rate.

Q. Have not you a tariff in existence now ?

A. No, sir ; we have a gravity road ; the road was built for the purpose of carrying the coal of the company ; we never carried for anybody else ; never had anybody offer it to us, for the reason that when we get out to Honesdale it is difficult to separate it from our own coal ; there has never been any arrangement for transporting it there.

Q. You don't ship for other people ?

A. We ship under a contract for the Erie railroad company ; we get from them the same rate they charge us—about one and sixteenth cents per mile ; we cross the mountain over one thousand feet elevation ; we are allowed twenty miles for overcoming that elevation ; our distance is fifty-four miles by adding that.

Q. That would make how much a mile ?

A. We get \$1 60 for fifty-four miles ; it is on a sliding scale.

Q. That has not been changed ?

A. No, sir.

Q. Were you represented at a Philadelphia meeting of different railroad companies ?

A. Yes, sir.

Q. When was that ?

A. About a month ago.

Q. Who called it ?

A. I don't recollect.

Q. Who was at it ?

A. I was there for one, Mr. Gowen, Mr. Brisbin, Mr. Sloan, Judge Packer, Mr. Clark, and a number of gentlemen from the Lehigh region.

Q. What did you do at that meeting ?

A. We had a general discussion.

Q. What did you determine there ; I am confining you strictly to your rates ?

A. I don't know anything about that ; I simply know that Mr. Gowen sent me his rates of toll at New York before I attended the meeting.

Q. Don't you know that he sent it to every other one of those gentlemen who were there before that ?

A. I do not.

Q. Did not you hear them say so ?

A. No, sir.

Q. You don't know what was done with anybody outside of yourself ?

A. No, sir.



Q. You made no change?

A. No, sir; we had nothing offered to us.

Q. Would you have carried it if you had?

A. I don't know; it depends entirely upon circumstances.

Q. Did not you know what the rate would be?

A. Not until the offer was made; we don't take things by guess.

By Mr. Lamberton.—Q. Was there anything said or done about tolls at that meeting in Philadelphia?

A. I have no recollection of it at all.

By Mr. Hall.—Q. You mean to say you did not hear anything—you do not mean to state that these other gentlemen did not do anything?

A. No, sir

John Brisbin, being re-called, testified as follows:

In my testimony it might appear that I professed to name all the roads that we operate. There is the Valley railroad that I did not mention, running from the State line between Pennsylvania and New York; then there is the Oswego and Syracuse railroad, from Syracuse to Oswego; that is a leased road; and then there is the Green and Utica and Susquehanna Valley railroads; they form connecting links; we own the line from Oswego to Ithaca.

By Mr. Olmsted.—Q. You charge the same rate on your New York branches as you are charging in Pennsylvania—four cents per mile?

A. I think we have sent no coal for other parties; none has gone further than Binghampton; we charge the same rate clear to Binghampton.

E. W. Clark, called by Mr. Hall, being duly sworn, testified as follows:

Q. What road are you an officer of?

A. I am president of the Lehigh coal and navigation company.

Q. When was it chartered?

A. I think in 1816.

Q. You carry coal on your road?

A. Yes, sir.

Q. What is the length of your road?

A. Our main line runs from about three miles beyond Wilkesbarre to Phillipsburg—about 103 miles.

Q. What is the length of your branches, and what are their names?

A. We have what is called the Nantioke branch, about eight miles, which also extends to the collieries on the river. We lease the road from Union Junction to Scranton, which is sixteen miles; we have the Nesquehoning branch and the Gravity road extending to our own mines; I think that is all.

Q. You mine yourself?

A. Yes, sir.

Q. Largely?

A. Yes, sir.

Q. How many collieries have you got?

A. I think we have ten.

Q. How many acres of coal land do you own?

A. Between 12,000 and 13,000.

Q. What are the rates of coal on your road now?

A. I think they are four cents a ton per mile.

Q. When did you make them?



A. At the same time the Lehigh Valley did ; we always fix our rates together.

Q. What had they been before—the same as the Lehigh Valley ?

A. Yes, sir ; we are parallel lines, and meet together and fix the rate.

Q. They are two different roads entirely ?

A. Yes, sir ; but instead of fighting each other continually we try to work in harmony.

Q. Be pleased to state what the rates had been prior to that time.

A. I think about one cent and six-tenths.

Q. The Lehigh Valley had been about the same ?

A. Exactly the same.

Q. How much coal have you been carrying since the increased rate.

A. One week, I think, we carried as high as 8,000 tons.

Q. What had you been carrying prior to the raise ?

A. We had not carried anything for several weeks.

Q. What is your capacity ?

A. About 40,000 tons, but we never reached that.

Q. What were you carrying ?

A. About 20,000 or 25,000 tons a week.

Q. Are you carrying for any operators, or have you since you increased your rates, at a less rate than four cents a ton per mile ?

A. We have contract with one company for the transportation of a large amount of coal ; I am under the impression that we have carried some for them ; that is the Wilkesbarre coal and iron company.

Q. What rate ?

A. It depends upon the price realized from the coal ; I have no means of knowing the rate.

Q. What rate for October or November ?

A. They are very nice fractions.

Q. Was it under two cents ?

A. Yes, sir ; it has always been under two.

Q. Has it been increased for that particular shipper ?

A. It was always increased when coal goes up and always diminished, when coal goes down.

Q. Have they been paying more than two cents at any time during the last six months ?

A. No, sir.

Q. That is the company that Mr. Parrish is connected with ?

A. Yes, sir.

By Mr. Lamberton.—Q. What is the capacity of your road ?

A. It is a new road ; we never worked it up to its full capacity, which is about 40,000 tons a week.

Q. How much were you carrying before the 1st of December ?

A. About 20,000 tons.

Q. How much did you carry after the 1st of December before you put up the rates ?

A. The tonnage gradually dropped off ; I think from 20,000 to 25,000 tons, until the strike.

Q. When did you increase the toll ?

A. Sometime late in February.

Q. Then from the time of the strike up to the time of the increase, how much were you carrying ?

A. I think we carried absolutely nothing ; there were no collieries in operation.



Q. You were carrying nothing from the time of the strike up to the time you increased the rate of toll?

A. Almost nothing.

Q. How much since?

A. I think one week we ran up to 8,000 tons—last week it was about 2,000; I got the report this morning, “not a car received in any colliery.”

By Mr. Petrikin.—Q. Had you men in your employ sufficient to move 25,000 tons?

A. Yes, sir; we had everything prepared to move 40,000 tons.

By Mr. Hall.—Q. You have been keeping men in your employ to move 15,000 tons that you never did move?

A. We are a new road, with a growing business, and have preparations for more than we carry.

Q. Does the business seem to be growing very fast?

A. The last report was, “not a single car.”

Q. Were you at the Philadelphia meeting of railroad people?

A. I was at several meetings.

Q. At the same time the Lehigh Valley people were there?

A. Yes, sir.

Q. Was it there that you fixed these rates?

A. No, sir.

Q. It was done simultaneously with them.

A. Simultaneously with the Lehigh Valley?

Q. Had you information before that what the increase would be on that road?

A. Yes, sir.

Q. On the other roads—the Delaware, Lackawanna and Western?

A. It is the first I have heard of those rates.

Q. Did not you meet them afterwards from the different roads at those meetings?

A. I met some gentlemen there.

By Mr. Lamberton.—Q. Was there anything said about the tolls there?

A. I don't think anything was said in a general way; there was no action about tolls.

Q. When did your road go into full operation?

A. We were prepared for other business, I think, three years ago.

Q. From that time up to the present there has been harmony between you and the Lehigh Valley road?

A. Yes, sir.

Q. Your lines are parallel?

A. Yes, sir; one is on one side of the Lehigh river and one on the other.

By Mr. Hall.—Q. And you acted in conjunction with them in this increase?

A. Yes, sir; and in every movement that has been made.

David T. Bound re-called by Mr. Hall.

The following circular was shown witness and offered in evidence:

LACKAWANNA AND BLOOMSBURG RAILROAD Co.,  
SUPERINTENDENT'S OFFICE,  
Kingston, Pa., February 20, 1871.

On and after this date, and until further notice, the rates of transportation of coal will be as follows:



From Pittston, Shickshinny and all points between, to—	
Beach Haven .....	\$2 00
Berwick .....	2 10
Lime Ridge .....	2 15
Espy .....	2 20
Bloomsburg .....	2 20
Rupert .....	2 20
Danville .....	2 50
Northumberland .....	2 75

(Signed) DAVID T. BOUND, *Superintendent.*

Q. Is that your circular issued by your road?

A. Yes, sir.

Adjourned until to-morrow evening at 7½ o'clock.

HARRISBURG, THURSDAY, *March* 16, 1871.

The committee met at half-past seven o'clock P. M., all the members being present.

Mr. Hall said he would rest, with the exception of offering the charters of the various transporting companies.

Mr. Lamberton.—We propose to reply by showing to you the true condition of affairs in the coal regions, and claim that, under the resolution, you have full power to make inquiry into the cause of the present troubles. Our offer is to prove that the demands made by the Workingmen's Benevolent association were such that it was impossible to carry on the coal industry of this Commonwealth.

Mr. Hall.—What is the offer?

Mr. Lamberton.—We offer to prove that the demands made by the Workingmen's Benevolent association rendered it impossible for the operators to work at the rates demanded, and that they were compelled to refuse to accede to those demands, because they would have worked at a loss; that this was the cause of the suspension of work in the mining regions and the cause of the high price of coal, and that it was not the increase of tolls or transportation charges.

Mr. Hall contended that the committee would be going outside of their duties by hearing the testimony on that point.

The committee decided to hear the testimony.

William Kendrick, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you live?

A. I live in Pottsville.

Q. What is your business?

A. Miner and shipper of coal.

Q. How long have you been in that business?

A. I have been engaged in mining for a good many years; as a shipper only for the last six years.

Q. You were brought up to work at the mines?

A. Yes, sir; I have been working at the mines since I was twelve years old.

Q. What position do you occupy in the Anthracite Board of Trade?

A. I am its president.



Q. Of what is that board composed?

A. It is composed of a number of local associations—some five or six—through the Schuylkill coal region, represented by delegates.

Q. Associations of operators?

A. Yes, sir.

Q. What amount of coal tonnage does your board of trade represent?

A. It represented, in 1869, something over four millions of tons.

Q. State whether, at the time the strike in Schuylkill county occurred, on the 10th of January, there was any dispute between you and the men upon the subject of wages?

A. There was not any.

Q. Under what rate of wages were they then working?

A. They were working, during the latter part of last year, under what was known as the Gowen compromise.

Q. State whether that did or did not permit the price of labor to slide down to a basis of two dollars; if it was as low?

A. Yes, sir; that was the understanding; they were working on the three dollar basis, sliding down to two dollars.

Q. State what rate of wages was demanded by the Workingmen's Benevolent association after the strike took place, as a condition upon which they would resume work; what did they demand?

A. They demanded the three dollar basis as a minimum, provided the operators in the Luzerne and Carbon districts remained firm on this question of suspension.

Q. Who demanded this three dollar basis?

Mr. Hall objected, unless it was shown that the Workingmen's Benevolent association made the demand.

Mr. Gowen said the object was to show that the workmen at witness's colliery made the demand.

Objection over-ruled.

Q. State who it was that demanded this three dollar basis?

A. The three dollar basis was demanded only quite recently; it was demanded through the General Council, published in *The Anthracite Monitor*—the official order.

Mr. Gowen offered in evidence copy of *Anthracite Monitor*, containing minutes of meeting of the Workingmen's Benevolent association, at Pottsville, January 28, 1871.

Objected to by Mr. Hall.

Mr. Gowen said it would be followed up by the proof that this was the official organ.

Objection over-ruled.

Q. State what occurred when this document was made—did the operators agree to work?

A. No, sir; not at that time; the suspension was not ended.

Q. When it was ended, on the 13th of February?

A. Then they met at a committee at which I was not present; I understood from some who were there, that they had made a proposition on the three dollar basis—working down to \$2 50.

Q. State whether, at this three dollar basis as a minimum, the operators could have gone at work if the others were at work?

A. I don't think they could; not the season through.

Q. What was the average price of coal during the four months of the preceding year?

A. The five months, commencing on the first of August to the first of January, it was \$2 46, and a fraction per ton at Port Carbon.



Q. Paying the \$3 00 basis as a minimum, or the wages, the men would be entitled to at \$3 00, could coal be produced and sold at \$2 46?

Objected to by Mr. Hall. Admitted.

Q. Could you produce coal at your own collieries?

A. No, sir; we could produce it at a loss.

Q. If you paid the \$3 00 basis as a minimum?

A. Yes, sir.

By Mr. Hall.—Q. What time do you speak of?

A. Any time during this year.

By Mr. Gowen.—Q. I want you to tell us whether the action of the Reading railroad company, in raising tolls, had anything to do with the decision of the Anthracite Board of Trade, that they would not go to work?

Objected to by Mr. Hall. Objection over-ruled.

Q. State whether it was the action of the Reading railroad company, in raising the rates of toll, that was the cause of your refusal to accept the offer of the men and go to work at the \$3 00 basis?

A. No, sir; on the contrary the trade generally had agreed that they would not resume work at the offer of the \$3 00 basis as a minimum.

Q. State, when the refusal of your association and the operators generally to go to work took place, whether that was before or after the company had raised the tolls?

A. Before.

Q. How much tonnage do you think the operators of Schuylkill county, who did not belong and did not agree to this refusal of yours, to accept—those who are outside—how much tonnage do you think they could furnish to the road in a week?

A. I can answer that question by stating what occurred last year, during the suspension of four months; the tonnage run then from 20,000 to 25,000 tons a week. I don't know what it would be in this case.

Paper shown witness.

Q. State what that is, and if is the original paper?

A. This one is a proposition that I was a party to; my name is attached to it; it is for an adjusting of wages of 1871; this is the original document.

Mr. Hall objected to the part of the paper which says that the committee on the part of the Anthracite Board of Trade, and the committee on the part of the Workingmen's Benevolent association, respectfully recommended the adoption of the agreement, unless it is to be followed by proof that the recommendation was adopted, and accepted by the Workingmen's Benevolent association.

Mr. Gowen said he proposed to follow it by the declaration of the officers that it had been adopted.

Objection over-ruled.

Q. Were you present when this paper was signed?

A. Yes, sir.

Q. Did you see the gentlemen whose names are attached to that paper; did you see them sign it?

A. Yes, sir.

Q. What position does Mr. Siney hold in the Workingmen's Benevolent association?

A. He is president of Schuylkill county.

Q. Who were these others signing on behalf of the association?

A. They were known as a committee appointed by the executive board



of Schuylkill county; they had been representing themselves as such at previous meetings.

Q. They made these representations in the presence of Mr. Siney?

A. I suppose so.

Q. Was not Mr. Siney present with them?

A. He was; they came there as the representatives of the executive board of Schuylkill county W. B. A., and it was so understood.

Q. State whether that paper was ever brought to you in connection with a sub-committee?

A. It was brought by a sub-committee appointed by the two committees on the day that it was signed by the parties.

Q. When was that?

A. In November last year; it was a few days after this meeting took place, on the 7th of November; I think it was on the Wednesday following that they went to Philadelphia to ask you to become a party to this arrangement.

Q. Who else was with Mr. Siney?

A. Mr. Ryan, Mr. Cole and myself.

Q. State what occurred then?

A. When this proposition was presented to you (Mr. Gowen) for your concurrence and co-operation, you seemed perfectly satisfied with the arrangement, and expressed yourself as being willing to go into it provided you could have a guarantee that there should be no strikes during the year 1871; you thought it was a little premature just then to state at what rate you would carry your coal for 1871; the trade was dull, and if it became known that the rates would be low parties would not buy.

Q. Was not that idea acquiesced in by the workingmen and yourself?

A. I understood so.

Q. Was there the slightest objection made to the action I proposed to take by the workingmen on that occasion?

A. I never heard any.

Q. Did they express themselves as satisfied with that interview?

A. I think they did; it is my impression that they did.

Q. Did you at any time after that, or Mr. Siney, or any officer of that association, say any thing about the adoption of that recommendation?

A. Sometime after our meeting with you in Philadelphia Mr. Siney was in our office one afternoon, in Pottsville; Mr. George Cole was present and talked over matters in connection with the trade; this subject came up; I asked him if the men had ratified this proposition, and he said there was no difficulty about that whatever, that it was all right, and there would be no trouble about it; he said we could work right along on it; he said that the men would accept it and go to work on it.

Q. State whether the offer that you now make to the men is not the same that is recommended in that paper?

A. It is the same; the offer which the operators now make is the same.

Q. When was this offer of the operators made?

A. A few days after the meeting in Philadelphia; I don't know exactly.

Q. State whether you and the others are ready to go to work if the men would accept it?

A. Yes, sir; we would go to work at once.

Q. That is if the men would accept the offer, which is identically the same as the officers recommended, and which you hold in your hand, the operators would go to work?

A. Yes, sir.

Q. I want to draw your attention to another matter—the controversy be-



tween the officers and men as to the claim made by the Workingmen's association to control and dictate at the collieries; what do you know about that, especially with reference to any particular instances in any colliery that you own?

Mr. Hall objected, for the reason that it was opening out another question between the collieries and the W. B. A., and had nothing to do with any question that this committee have the right or the power to inquire into, and that it was in no manner relevant to the resolution offered in the Senate by Mr. Turner. Objection over-ruled.

Q. State what you know about these demands and any thing about your particular colliery, and state the circumstances fully?

A. I will premise a little by saying that I was a party to the signing of the agreement, known as the Gowen compromise; in that agreement one of the conditions was—

By Mr. Hall.—Q. Have you got that paper?

A. Yes, sir; it is here somewhere; one of the conditions of that agreement was that there should be no interference.

Mr. Hall objected to the contents of any written paper, the paper not being presented.

Witness.—I know it was a part of the agreement that there should be no interference.

By Mr. Davis.—Q. Tell what you know of your own knowledge?

Mr. Hall.—The best evidence is the paper itself.

By Mr. Gowen.—Q. Go on and state any circumstances that you know about your own colliery?

A. After working some thirty days after the resumption of work, the men at the St. Clair shaft refused to work; that is one of our collieries; they refused to work because four men had been working there during the suspension, mining coal to keep my pumps running; because these four men had been working, in violation of the resolution passed that there should be no "dead work" done, they refused to work; these four men were working not at a reduction of the wages, but at the three dollar basis.

Q. Explain what "dead work" means.

A. Dead work means work in the mines for any purpose—repairing, &c.

Q. State what occurred at your colliery?

A. Two of the men immediately left the place; they told me they would not keep the place idle; the other two did not do so for four or five days; they then agreed they would not stand in the way.

Q. How long was your colliery idle?

A. Four or five days.

Q. What does it cost you to keep your colliery idle?

A. About \$150 a day at that time.

Q. Those four men were then obliged to leave their work?

A. Yes, sir; and go away.

Q. Have you any personal knowledge of your own of any instances of this kind at other places?

A. I cannot speak of my own knowledge; I have heard rumors.

Q. What amount of money is invested in your colliery?

A. There has been half a million of dollars spent at that colliery—not y us.

Q. What would it cost to open a colliery of that magnitude?

A. \$150,000.

Q. Suppose you had not been able to keep your pumps running and the colliery had been drowned out, how much would it cost you to pump it out gain?



Objected to by Mr. Hall; objection over-ruled.

A. At that same colliery, some five years ago, after it had been burned down, I pumped the water out of the mine, and I think it was something like \$26,000.

Q. In your opinion, as a coal operator, is it at all conducive to the interests of the coal trade that you should have control over your own property and those whom you employ—is it injurious or beneficial for them to render your colliery idle when they please?

A. Very injurious.

By Mr. Hall.—Q. Do you own these men?

A. No, sir; they have owned me for sometime.

Q. Did you own those four men who quit laboring there?

A. I did not; I employed them and paid them.

Q. Had you any right to make them work if they did not want to?

A. Certainly not.

Q. In quitting they did what they had a legal right to do?

A. I do not claim that they had a legal right to quit; they had a legal right to work.

Q. The four men quit because they wanted to relieve you of the difficulty?

A. Certainly.

Q. Those four men had a right to quit?

A. Certainly.

Q. Had no more right to quit than the other men that were there?

A. They quit after the men had made a demand; that they would not work anymore until these men were discharged.

Q. Has not any man under you a right to quit unless he has a contract with you to work a particular length of time?

A. Certainly.

Q. Have you been successful as a coal operator?

A. Yes, sir; part of the time.

Q. Have you made money?

A. Certainly; I have lost some, too.

Q. How many men have you in your employ?

A. Really, I don't know; I guess some 400 or 500, men and boys, when we are working.

Q. What agreement was made in the latter end of December, last year, with the men in regard to mining coal?

A. On the 29th of December we met a committee of the workingmen for the purpose of adjusting wages; for the month of January they demanded the \$3 basis for the work to be done in the month of January, which we, for a time, refused, and it finally ended in an agreement to pay them the \$3 basis, provided the suspension became general in Schuylkill, Carbon and Luzerne.

Q. Why did you want the suspension to become general?

A. We did not want it; it was only a condition to fixing the wages.

Q. You agreed to give more if it did than if it did not?

A. Yes, sir.

Q. And yet you did not want it?

A. No, sir.

Q. You paid money then for what you did not want?

A. Certainly.

Q. What do you mean by this \$3 basis?

A. I mean the price of coal at Port Carbon; wages based upon the price.



Q. You mean that if you got \$3 a ton for the coal at Port Carbon the men were to get so and so?

A. Yes, sir.

Q. What is that so and so?

A. The wages, at the \$3 basis, would be \$11, \$12 and \$13 a week for outside work; inside laborers \$12.

Q. The miners how much?

A. Fourteen dollars per week.

Q. Is that too much for the men to get?

A. No, sir; not working by wages.

Q. What would the men get at the \$2 50 basis at Port Carbon?

A. Strictly on that basis, and on the reduction we would make, the wages would be \$9 19, for outside laborers; inside, \$10 02 and \$11 67, I think, for miners.

Q. These laborers and miners very often have families, do they not?

A. Yes, sir.

Q. Have you a store at your place?

A. No, sir.

Q. Is it possible for many of these men to live at \$9 19 a week with their families, and not get into debt?

A. They have managed the last year to live on a great deal less; I know they have not worked much.

Q. Have you any knowledge of any men in your section of the country who do live on less, except these miners?

A. I don't know anything about anybody else.

Q. How many days did your colliery work in December, 1870?

A. About thirteen, I think.

Q. Who would lose on account of the lost time?

A. I think we would all lose.

Q. What made you stop?

A. The condition of the market was such that we could not dispose of our coal.

Q. Then when you stop because the condition of the market is such that you cannot dispose of your coal these men do not get \$9 19 a week?

A. They do not get anything when they are idle.

Q. Do they get anything when they are sick?

A. We don't pay them when they are sick.

Q. Do you know the rule of your association in regard to beneficients amongst themselves—paying the sick?

A. I know nothing more than what their constitution and by-laws call for.

Q. That provides that they shall contribute?

A. Yes, sir.

Q. What did the men that worked for you get in the previous November?

A. The basis of \$2 25 per ton.

Q. What would the outside laborers get from you on the basis of \$2 25 per ton at Port Carbon?

A. They would get  $8\frac{1}{4}$  per cent. less than the above figures.

Q. What would the figures?

A. The outside laborer would get \$8 28.

Q. For a whole week's labor?

A. Yes, sir.

Q. What would an inside laborer get?

A. Nine dollars.



Q. And a miner?

A. Ten dollars and fifty-four cents.

Q. If they could hardly live at \$9 19 how could they live at \$8 28 a week?

A. I don't say they could; I don't know that they could live; that was the rate of wages understood; I paid the same as anybody; I do not go into private families to inquire into their affairs; it is none of my business.

Q. It is none of your business, and you don't care?

A. Certainly, I care; I like to see everybody do well.

Q. Don't you consider those wages exceedingly low?

A. I don't know that they are in comparison with the price paid for labor in other branches of work.

Q. How long have you been in the coal business?

A. As an operator twelve or fourteen years.

Q. Is there any business that you know of which is attended with more danger to the men than working under ground in this way?

A. There is considerable danger attending under-ground work.

Q. Is there danger to their health, and does their health give way?

A. Certainly, it gives way; everybody gives way when they get old.

Q. What is the average life of a miner who works under ground?

A. Really, I don't know.

Q. Don't it cripple them so that they are good for very little work after thirty-five?

A. I have seen many good ones at fifty.

Q. Do you know that the life insurance companies take them?

A. I don't know.

Q. A man works at the rate you paid—\$10 54—under ground at considerable danger to his life and continual danger to his health?

A. There was not many doing it at that rate.

Q. Did you lose money during the year 1869?

A. I did not make any.

Q. Did you lose money during 1870?

A. Yes, sir.

Q. Did the men carry out the Gowen compromise for 1870?

A. Yes, sir.

Q. Was that to extend any longer?

A. No, sir.

Q. You arbitrarily reduced the wages from the \$3 00 basis down to \$2 25, without consulting the men?

A. No, sir; it was an agreement.

Q. Did you consult the men?

A. Yes, sir; and they agreed to it.

Q. Did they agree to take \$2 25?

A. Certainly.

Q. And signed a written paper?

A. They signed a paper to work at the Gowen compromise, and they agreed to work at \$2 00 even.

Q. Then the Gowen compromise was a compromise that would have reduced the wages under certain circumstances, to twenty-five cents a week?

A. No, sir; there was a limit to \$2 00 a ton.

Q. How much under that compromise would the outside laborer get if you got \$2 00 a ton at Port Carbon, under the Gowen compromise?

A. The outside laborer, \$7 37; inside, \$8 04; miner, \$9 38 per week.

Q. How many acres of land do you control?



A. We have in one lease 400 acres ; I don't know how many acres in the other, probably four of that.

Q. Would you think it strange, as an operator, that when the wages of men were reduced, under the Gowen compromise, to \$7 00 a week, they would want the price of coal higher if that was the only way they could get their wages increased ?

A. I have no doubt they wanted them higher ; I have worked for a good deal less in the mines years ago.

Question repeated.

A. I would not think it strange that they should want more.

Q. You desired a suspension of all the other collieries in order that your price might be increased ?

A. No, sir ; never did.

Q. Did you want them to work in the other counties ?

A. We had nothing to do with other counties.

Q. Did you try to get the operators in Schuylkill to get the miners in Luzerne not to work ?

A. No, sir.

Q. Did you have any agreement with them looking to that ?

A. No, sir ; we made that agreement for January, and agreed to give them more than others if they suspended.

Q. How much more did you get that year after they suspended than before ?

A. We only worked some seven days.

Q. Why ?

A. The suspension took place ; the men struck.

Q. Was not the reason that you agreed to pay more if there was a suspension than if there was not, that you would make more money if they suspended than if they did not ?

A. No, sir.

Q. It was for the simple reason that you wanted to give the men more ?

A. Oh, no.

Q. What was the agreement ?

A. It was thought we should pay three dollars for the month of January if the suspension was successful ; if not \$2 50.

Q. Was that to be a success to you ?

A. The suspension was to be total.

Q. Would you thus make more money and be able to pay more money ?

A. For a few days.

Q. What was the condition of the market after that suspension which you induced ?

A. I induced no suspension.

Q. How much was the advance in the price of coal ?

A. Probably seventy-five cents a ton.

Q. How much would you have made at paying the advanced wages all the year ?

A. I might have made a little money.

Q. What do you know about the *Anthracite Monitor* ?

A. Not much ; it is said to be a paper published by the Workingmen's Benevolent association.

Q. Do you know that it is ?

A. I have every reason to believe it is ; I know they call it their official organ—Mr. Siney and others.

Q. You don't know anything more about it than what you have stated ?

A. It is said to be their organ.



Q. What could coal have been worked for that season?

A. We might have worked at the proposition we offered them, \$2 50.

Q. Why did you stop your mines after the Scranton sales in December?

A. On account of the dull sales for coal.

Q. It was not because the workmen refused to work?

A. No, sir.

Q. Is your Anthracite Board of Trade incorporated?

A. Yes, sir; by the courts.

Q. Did your board act in concert with any corporations in what you have done about this business?

A. No, sir.

Q. Were you not represented in a meeting held lately in Philadelphia?

A. Yes, sir.

Q. Did not you act in concert then?

A. I acted as a delegate of a general meeting of the coal trade; I assented to what the meeting did; I was with them and a party to all the deliberations.

Q. Did Mr. Gowen acquiesce in that agreement for 1871?

A. He did not oppose it.

Q. Did he acquiesce?

A. He said he would; he did not object.

Q. Did he afterwards announce his tolls?

A. He did not.

Q. Did not he increase afterwards?

A. Yes, sir.

Q. How much?

A. Four dollars a ton.

Q. Was that a violation of the agreement that you and Siney and Mr. Gowen had, or not, in your judgment?

A. Mr. Gowen I don't suppose felt himself bound by that agreement after the general suspension took place and this agreement of ours set aside.

Q. Siney said there would be no difficulty—that the men would accept? Did he say the men would accept?

A. He said there would be no difficulty.

Q. Did Siney tell you that the men had accepted this offer?

A. He told me there was no difficulty.

Q. Was it not a mere proposition for adjusting the wages of 1871?

A. Certainly.

Q. Do you know that the association ever accepted it?

A. No more than what Mr. Siney told me; Mr. Cole was there when he told me they had accepted.

Q. Don't you know that this agreement says: "*Provided*, That a satisfactory arrangement be made with the Philadelphia and Reading railroad company for a reduction of tolls?"

A. Yes, sir.

Q. Was there a reduction?

A. No.

Q. Did not an increase take place?

A. Yes, sir.

Q. And these men told you they accepted?

A. Certainly; it was previous to the suspension taking place.

Q. Did they say they had accepted?

A. They did not say it had been accepted, but there would be no trouble about it.



Q. You were a party to the Gowen compromise?

A. Yes, sir.

Q. What was it you said cost you half a million?

A. I guess the colliery I mentioned, from the time it was started, cost that much; I have repaired it; we have about \$75,000 invested in it.

Q. You have been making this \$75,000 out of men at the rate of wages of 7, 8, 9 and 11 dollars a week?

A. No, sir; we have been paying them as high wages as any body in the region.

Q. Do you blame these laboring men for attempting to get their wages increased when they are at these rates you have named?

A. I blame them for precipitating this general strike; I don't think they are doing right.

Q. You think you did not precipitate this strike when you said you would pay 50 cents more if they quit work in the other counties?

A. No, sir.

Q. You blame these men though?

A. Yes, sir.

Q. They did wrong?

A. Yes, sir.

Q. And you did not?

A. According to your doctrine I am doing good, because I am advancing their wages.

Q. By putting their men idle?

A. I did not help their men to do that; I deny it.

Q. You paid the money out for nothing?

A. No; I paid them under the agreement.

Q. Is there not an arrangement among operators by which if there is a strike at a colliery you will not employ the men at work in that colliery?

A. No, sir.

Q. Has there ever been such?

A. Yes, sir; some two or three years ago.

[Cards produced giving names of men who had struck at certain collieries.]

Q. Did you ever issue any cards like that from your establishment?

A. No, sir.

Q. Did you ever get them from other collieries?

A. No, sir.

Q. Did you ever get any like these?

“ASHLAND, PA., April 20, 1868.

“The following miners struck for wages at Lewis & Co.'s colliery while they were employed as leaders:

“Michael Appleby, [giving other names.]

“James ———, James Rose were leaders in the recent strike at John Anderson & Co.'s colliery, and are not now employed by said firm.”

A. I never saw anything like that; in 1869 there was a resolution passed not to employ each other's men when on strike.

Q. What is the difference between that and this?

A. Not much, but we repealed the resolution soon; it did not work to our advantage; we thought we were doing right when it was passed.

Q. Do you think so still?

A. No matter what I think now.

Q. You decline to answer what you think now?

A. Yes, sir.



Q. Have you ever attempted to change the tolls on the Reading railroad yourself?

A. I have been one of a committee to solicit the president to reduce the tolls?

Q. When?

A. In 1869.

Q. What were the tolls in 1869 when you so acted.

A. I don't exactly remember.

Q. You call all the charge that they have tolls?

A. Yes, sir; we call it all tolls; that is the general understanding of the coal men.

Q. What were the charges in 1869 when you made that attempt?

A. Not as high as now.

Q. You demurred in 1869 but don't now?

A. We are not prepared to ship any now.

Q. You don't demur now?

A. No, sir.

Q. Did you demur in 1870?

A. I think not.

Q. Did you fix the amount in 1869 when you did demur?

A. No, sir.

Q. Did they reduce it at that time?

A. I think not.

Q. Are you interested in the Reading railroad as stockholder?

A. No, sir.

Q. Do you know whether they are not large owners of coal lands which they propose to work?

A. I do not.

Q. Have you ever got drawbacks on the road?

A. We have been paying tolls on which a drawback was given.

Q. In what year?

A. In the last two years.

Q. How much did it amount to?

A. I cannot tell.

Q. How long did the men stand out against the reduction before they submitted to the Gowen compromise?

A. About four months.

Q. Why did not you work full time in September?

A. We were prevented by break downs; that was not the fault of the men?

Q. Has this W. B. A. made any offer to work at the \$3 00 basis?

A. Yes, sir; in Pottsville, some time in February.

Q. Who was there on the part of the workingmen?

A. Mr. Siney, Mr. Waters, Mr. Ryan, and the others I forget; they offered to go to work at the \$3 basis, working down to \$2 50.

Q. Who did the speaking?

A. Mr. Siney and Mr. Waters.

Q. Who else was there besides these men and you?

A. Mr. George Cole, Mr. T. K. Seidfried, Mr. Snyder and others.

Q. How long did the conversation last?

A. Probably an hour.

Q. Did you agree to it?

A. No, sir.

Q. What did they say, and what did you say?

A. The substance was that they made us the offer and we refused it.



Q. Why did you refuse it?

A. We thought it was not a proper basis to work on successfully.

Q. Did not you say you had not power until after the Philadelphia meeting?

A. I said we were not prepared to treat with them.

Q. Until after the Philadelphia meeting?

A. I don't know that there was anything said about the Philadelphia meeting.

Q. Why were you not prepared to treat? Was it not because you were to have a meeting in Philadelphia?

A. Perhaps.

Q. Who was to meet in Philadelphia?

A. The parties who met in New York; I was one, Mr. Gowen was one, and Mr. Packer, and the other gentlemen were there.

Q. Were you prepared after that meeting to accept?

A. No, sir; we have not been prepared since.

Q. Because it was so determined at the meeting?

A. It was determined what proposition we would work on.

Q. You don't complain, as an operator along the line of the Reading railroad, that they charged the present prices of freight on coal?

A. I have no reason to complain; I am not freighting any coal.

Q. What did you offer to pay your men last month?

A. Offered to pay them at the basis of \$2 50, and they demanded \$3.

Q. What does it cost to put a ton of coal on the cars at your colliery?

A. Two dollars.

Q. What does it cost to run that to Philadelphia?

A. About \$1 65 or \$1 70.

Q. Then if they charged \$6 08 how much would they make?

A. It would depend upon the price they get in Philadelphia; I don't know anything about what they make; I am not engaged in the railroad business.

By Mr. Gowen.—Q. Did you ever get any drawbacks from the company that were not published to the world, and which everybody else was entitled to.

A. No, sir.

Q. You have stated that miners got, according to the Gowen compromise, \$12 a week at a certain state of the market, and sliding down; it also went up?

A. Certainly.

Q. Without reference to the men working by the week?

A. Yes, sir.

Q. What proportion of miners worked underground work by the week?

A. I do not suppose they will average five to a colliery.

Q. At what rates did the miners work?

A. At rates we can make by contract—by the yard or wagon.

Q. At the rate of wages that have been paid for the four months of last year, how much could a good miner make at those wages, for eight or ten hours a day.

A. We have some 27 collieries, where they make an average of \$3 62 a day; we have returns from 27 collieries, under oath, and the men made that amount.

Q. How much can a good miner make in your breast by working ten hours a day, at the rate you have paid for the last five years?

A. From 70 to 100 dollars a month.



Q. Would not you and the other operators be willing to increase the rate by the week if you could deduct something from contract work?

A. Willingly.

Q. Will the Workingmen's Benevolent association permit you to do it?

A. A large number of operators have said they would be willing to do it.

Q. Would you be willing to do it?

A. Yes, sir.

Q. How many hours a day do those who work by contract generally work?

A. From six to eight hours.

Q. Do you mean to say you made a contract to pay the men a certain rate in January in your own colliery, or were you referring to the general contract between the miners and operators, settling the whole wages of the region?

A. For the whole region for that month.

Q. The understanding was that if the strike was general you were to pay at the rate of three dollars, assuming coal to be \$3 00?

A. Yes, sir.

Q. If it was not general in the other regions you were to pay at the basis of \$2 50?

A. Yes, sir.

Q. What would the strike in the other regions have affected it?

A. Advanced it.

Q. Was there not a strike in the Upper Wyoming regions in December?

A. Yes, sir.

Q. In fixing the wages the month before, you did it with the knowledge that if the strike continued coal would be higher, and hence the men entitled to more wages?

A. Yes, sir; it was a special agreement after the suspension had been ordered by the men and after the strike had occurred in the upper regions.

Q. This was no arrangement made with you for the benefit of your particular colliery?

A. No, sir.

Q. Did you in any way, or by any association, or by any movement of your own in any way, endeavor to bring about a suspension or stoppage of work?

A. No, sir.

Q. Was it not agreed that the men should go to work at that arrangement; it was the understanding between myself and you and Mr. Siney, in Philadelphia, about the fixing of tolls, and when they were to be fixed?

A. The understanding was that if this agreement was carried out, and if there were no strikes, you would reduce the tolls to a very low point in the latter part of January.

Q. Did they carry it out?

A. Certainly not; they broke that in December, by insisting upon the \$3 basis; they struck; the conditions upon which you agreed to reduce the tolls had been broken before the time arrived.

By. Mr. Hall.—Do you call this an agreement?

[Referring to the paper produced.]

A. It is a proposition.

Q. You say that these miners could make \$3 62 every working day?

A. I say they did make it.

Q. And that at that basis they could make from \$70 to \$100 a month?

A. Yes, sir.



Q. That is on the supposition that they worked steadily every day?

A. Yes, sir.

Q. And that they never have any sickness and never stopped for any accident?

A. It is while they work.

Q. Is it not true that no miner anywhere could be under ground that length of time from week to week all the time?

A. For eight hours—oh, yes, they can work for eight hours.

Q. Would it not be ruinous to their health in your colliery?

A. No, sir.

Q. This is what a miner could make by working 10 hours a day?

A. From eight to ten.

Q. Can they work ten hours under ground without injuring their health?

A. I suppose it would affect their health.

Q. Have you known any man to do it?

A. I worked myself 20 years in the mines, sometimes 15 hours a day, digging coal.

Q. How long did you continue at that?

A. Not a great length of time at those hours; I worked for a long time up to my knees in water and the water falling on me.

Q. What year was this?

A. From 1839 to 1845.

Q. How many days in a week?

A. I never lost much time.

Q. Have you not stated that so far as the prevention of crime is concerned the W. B. A. has done a great deal of good?

A. I think it has in a moral point of view.

By Mr. Petrikin.—Q. Has it corrected the morals of the men?

A. Yes, sir; I believe they have controlled a very bad element that existed in the Schuylkill region before the organization of this association.

By Mr. Gowen.—Q. How old are you?

A. Fifty-two.

Q. You worked twenty years as a laborer under ground?

A. Yes, sir.

Q. You can punish your breakfast pretty well now?

A. Yes, sir; it depends some on the quality.

Adjourned until to-morrow afternoon at 2 o'clock.

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HARRISBURG, *March* 17, 1871.

Committee met at two P. M. Present—Messrs. Davis, Dechert and Petrikin.

John E. Rathbun, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you live?

A. At Trevorton, Northumberland county.

Q. It is the extreme eastern end of the Northumberland coal regions?

A. Yes, sir.

Q. You have a colliery there?

A. Yes, sir.

Q. How many men and boys do you employ?

A. When under full operation about 450.



Q. Give us a statement of any stoppages you have had, or any interference of your quarry by the W. B. A.; when did the suspension occur in your region?

A. During September we only worked a portion of the time; our stoppage occurred on the 3d of October; since then we have done nothing.

Q. Were you ready to work?

A. Yes, sir.

Q. Could you have found a market for coal?

A. Yes, sir.

Q. Tell us the reasons why you stopped?

A. I took charge of the colliery, by purchase of my partner's interest, in September, 1869; the rate of wages was then established; I found it when I went there; I did not seek to change it since that time; since that time my colliery has run something like seven months, and that is all; I have never stopped it one day myself.

Q. Was it ever stopped on account of any difficulty of the rate of wages? Give us a history of these different stoppages and what caused them?

A. The first stoppage which I had occurred in October, 1869; the question was the price which I was to pay for gangways in the slope; the slope was a new work, and the price upon that seemed not to have been fixed; the price which the committee proposed to put upon it was one which I was not willing to pay; I therefore proposed to the men that a joint committee should be appointed to examine the work and put a price upon it; they agreed to that; I went to Shamokin and requested three operators there or superintendents of collieries to come and examine the question in connection with the men and fix a rate; two of them did come, Mr. Reed and Mr. Ammemam; I offered \$9 50 per yard for the gangway; the men demanded \$11; I did not tell any member of the committee what I proposed to pay; they said the gangway was worth, in their judgment, about \$9 50; the men adhered to the \$11, and no settlement was arrived at through the operation of that committee; the men stuck to \$11, and I had to pay it.

Q. How long were you obliged to stop on account of the price in that gangway?

A. I think about two weeks; I cannot say positively; I had one stoppage of two weeks, because, on pay-day, my office, which is certainly not particularly large, was so crowded with men that the clerk said he proposed to pay them out of the window; they took umbrage on that account for something like two weeks; I stopped for several days upon the demand that I should discharge my breaker boss.

Q. Did you discharge him?

A. I did not.

Q. What was the consequence?

A. After standing awhile we went to work again.

Q. Your colliery was stopped?

A. Yes, sir; I don't remember exactly how long; I stopped again for more than a week upon a question as to the accounts of the wagons at the breaker; two men claimed that they did not receive pay for as many wagons as they had sent to the breaker; all the wagons have their tickets when they come to the breaker; I was satisfied after inquiring that it was not possible that a mistake could have occurred; one man claimed over twenty wagons more than he received on his accounts; his name was Isaac Bukheizer, who has since been killed at my place.

Q. You did not give him the twenty wagons?

A. We compromised it.

Q. How long was your colliery stopped on that account?



A. Something like two weeks, I think ; when I went to investigate the matter to see whether the man was really entitled to the wagons or not, several of the most prominent members of the organization in our place told me—

Mr. Hall objected to hear-say evidence.

Mr. Gowen.—We offer to prove the declarations made by any of the men working for witness, as to the cause of the suspension, their demands, &c.

Mr. Hall said he did not object to what the men said they did.

Witness.—It was settled by compromise, after stopping a certain length of time—I think two weeks ; then we went to work again. Another stoppage, which occurred at my place, was occasioned by putting in the pay of certain men in a slope. I cannot give the date. We had in the slope certain miners who were at certain times employing laborers at their solicitation, and when their time was put in at the office, it was put in at laboring prices—\$2 00 a day. They demanded that we should pay them miners' wages. I said I would not do it, because, although they were miners, and if working at their own work would be entitled to that, still, for different work, they could only be paid the price we were paying for that work. I could not convince them that that was fair, and had to pay them \$2 50 a day, after stopping a few days.

Q. You mean the whole colliery stopped ?

A. Oh, yes, the work was stopped ; we had a good many other little matters, and had to stop a day or two. It got so bad that if it looked like rain, as it did one morning, my drivers would not go out. It did not rain a drop during the entire day. There was no question about my wages. I was paying more than anybody in the region, until I saw I could not run under such circumstances. I had done my best to run my colliery every day. I never stopped it one day myself. It was so expensive to me to submit to these temporary and frequent stoppages, with all my mules, superintendents and everything, that I made up my mind to run my colliery myself or stop it. I have not worked for six months.

Q. You say you were either determined to work or stop ?

A. I felt that if I must work only six months in the year that I would quit work altogether, because if I quit for a week or two I have all my expenses, but if I settle down for a stoppage of six months I am cut off from a great many expenses.

Q. During all these temporary suspensions there is a certain amount of expense that must go on, which you must pay, whether you are doing business or not ?

A. Yes, sir.

Q. Have you any written papers or communications from the W. B. A. ?

A. I have a few with me.

Produces two papers.

Q. Who is "Dennis Mullins, secretary ?"

A. He is a man who has been working for me.

Q. Is he secretary of the district ?

A. He so signs himself.

Q. Who is "John Wright, secretary ?"

A. He is also one of my men.

Q. This paper has the seal of the association ?

A. I don't know ; that is what came to me.

Mr. Gowen.—We propose to offer these in evidence.

Q. Who handed you those ?



A. One was handed to me by Dennis Mullins in person ; the other was sent to my office.

Q. Who sent the other?

A. John Wright, secretary.

Mr. Hall objected to the papers being put in evidence, on the ground that it was not shown that the persons signing them were authorized to sign any papers of the kind.

Testimony of this witness suspended for the present.

James O. Hallaran, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you live?

A. In Hazleton, Luzerne county.

Q. Do you know who is the principal officer of the W. B. A. in the Northumberland district?

A. I could not swear to that.

Q. Is there any member of the association here from the Northumberland district?

A. Mr. Wright was here yesterday; he went away.

Q. Who is John Wright?

A. I met him at one time as a delegate from Northumberland county.

Q. Do you know that he lives in the Trevorton district?

A. I could not swear; he represented himself as living in Northumberland county.

Q. Are you secretary of the Grand Council?

A. No, sir; I am treasurer of the General Council.

Q. Don't you know where John Wright lives?

A. I don't know as to his residence, because I never had occasion to keep up correspondence with him.

Q. Do you know Mr. Foley?

A. Yes, sir.

Q. What position does he hold?

A. I met him as a delegate.

Q. Is he president of the Northumberland county association?

A. I cannot swear to that.

Q. Do you mean you cannot or will not?

A. I don't know.

Q. Is he here?

A. The John Foley that I know from Northumberland county is here?

John Foley, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you live?

A. Mt. Carmel, Northumberland county.

Q. Are you connected with the W. B. A.?

A. I am chairman of the executive committee of the association of Northumberland county.

Q. Do you know John Wright?

A. Yes, sir; he lives at Trevorton.

Q. What position does he occupy in the association?

A. He is delegate to the General Council; I don't know whether he occupies any other position in the association or not.

Q. Don't you know that he is secretary of the district?

A. I do not; I have not received any communications from him.

Q. What books would show who are the officers of the different districts?



A. The district book of the Trevorton district would show the officers of that district.

Q. How many districts have you in Northumberland county?

A. Six—Trevorton, Shamokin, Coal Ridge, Locust Gap, Mt. Carmel.

Q. What is the number of the Trevorton district?

A. Number five.

Q. You don't know whether John Wright is the secretary of that association or not?

A. I do not.

Q. Who has the custody of the seals of the different branches or districts?

A. The president of the district generally keeps the seal.

Q. Who is president of the Trevorton district?

A. I don't know.

Q. Do you know who is the president of the district you live in?

A. Yes, sir; William Jones.

Q. Who is president of the Shamokin district?

A. I don't know.

Q. Who is the custodian of the books of the different districts?

A. The secretary generally has the control or the keeping of the books.

Q. What general book is there that will contain the names of the officers of the different districts?

A. No book that I am aware of.

Q. How does the secretary of the association know who to correspond with?

A. Every district elects a delegate to meet the Executive board, and if there is corresponding to be carried on between the districts they correspond with those delegates.

Q. Where are the general books of the association kept—I mean of the entire association?

A. The books of the entire association of the anthracite coal fields are kept somewhere in Luzerne county; Mr. Reese is the secretary.

Q. Each district has its separate books, and those books are in the custody of the secretary of those districts, and those books would show who those officers are?

A. Yes, sir.

Mr. Gowen offered in evidence the two papers produced by the witness Rathbun.

Objected to by Mr. Hall, unless the seal was authenticated.

Admitted if connected with the association and shown to be issued by their authority.

John E. Rathbun re-called by Mr. Gowen.

Q. State whether during the suspension you employed any men, and what for?

A. After we stopped, in October, I found that the gang-way of the water level drift had settled, thereby carrying the water down into the slope; I had a sixteen-inch pump on the ground, and I could not get anybody to do any thing, except my bosses, blacksmith, &c.; we worked at it in October and did put it in. Since then I have employed nobody, except the stable boss and engineers engaged in pumping.

Q. If you had not employed these men for the purposes named what would have been the result?

A. I would have lost my slope, with 30,000 tons of coal in it.

Q. What has it cost to open that slope?



A. Outside of the machinery, the slope itself and its contents are worth \$30,000.

Q. That would have been lost unless you would have taken the water out?

A. Yes, sir.

Q. What were you paying your men last year when you worked?

A. On the basis of 1869.

Q. What wages did a good miner earn?

A. My men earned in August, 1870, including all men who worked, without reference to the number of days, an average of \$3 93.

Q. All your men or the miners?

A. The contract miners; their wages run from about \$60 to \$227 50 per month; a good many earned over \$150.

Q. What were you paying laborers?

A. The general rate was \$11 outside and \$12 inside.

Q. Had you any conversation with any of your men as to the cause of this—whether it referred to obnoxious men?

A. I had a meeting with my committee on Tuesday evening.

By Mr. Hall.—Q. Were these the men that caused the suspension?

A. I cannot say; I sent for them as being leading men; Mark Moran was one of the party; he was the president of our district; Thomas Gillespie was another, and Jenkin Jones; I stated to them that I was desirous of commencing the repairs at my colliery; I proposed if we worked to pay them the basis of 1869, in day's wages, or to contract it if we could mutually agree; I proposed also to employ, if we worked, only union men except my bosses; I mean of the W. B. A.; but I reserved the right to employ such union men as I might see proper; I asked them what objection they had to the men going to work upon those terms; the answer was that if I, myself, bossed the work the terms were satisfactory, and that they would undertake them and commence the next day, but that no man belonging to the association would work there for me under my present bosses; that was exactly what was said.

Q. Have you commenced work?

A. No, sir.

By Mr. Hall.—Q. Do you hold that these men were obliged to work unless they wanted to?

A. That is rather a difficult question to answer; in a moral, legal point of view every man should properly control himself, but when they take positions, and where it is a public organization, and they occupy positions that others cannot go in, then I say they have not the right.

Q. Do you mean that it was of public importance that you should carry on your business and make money?

A. As a part of the whole I do consider it a matter of public importance.

Q. That you should make money?

A. But that my collieries should run.

Q. Would you want your collieries to run if you lost money?

A. No, sir.

Q. Did you quit business six months ago because you were not making money?

A. No, sir; I could not make money by running the colliery half the time; I could have made money by running every day.

Q. Had not those men a right to quit if they pleased?

A. I have answered that.

Q. And was not the only penalty that would follow the fact that they would not get pay?



A. Yes, sir.

Q. Is there any way to punish these men for not working except not to pay them?

A. Yes, sir; there is a moral penalty; for instance, if I owned, personally, all the collieries in Pennsylvania, in the anthracite coal fields, and at a mere whim of mine, I choose to stop those collieries, I would have a right to do so and let them lie idle; but when an action of that kind, without sufficient reason, causes distress to others, then I am responsible.

Q. If you choose to go out of business and do not choose to run your colliery, you are responsible to the number of men who have been working there before?

A. If my colliery is of sufficient importance to make any one suffer.

Q. And that is the moral law?

A. I should judge so.

Q. You know of no reason, other than you have given, why these men had not a right to quit work when they did, in your particular case?

A. I cannot say anything further about their rights; they had no reason for it.

Q. Are you the judge of these men?

A. No, sir; my business depends upon them.

Q. Haven't you the right to get other men?

A. Theoretically I have; practically it is impossible.

Q. Why is it impossible?

A. Simply because there is such a system of terrorism that you cannot get any men to work except under the rules of the organization.

Q. How much money did you make in August?

A. I believe that the net income of my colliery—the difference between what I paid out and what I got for my coal—was some \$1,300.

Q. How many men and boys had you working?

A. I had, when in full operation, about 450.

Q. How many of them earned over \$100 per month?

A. I presume that from 60 to 70 were in position to earn more than that.

Q. Repeated?

A. Probably 40 or 50.

Q. How many of these 40 or 50 were what you call bosses?

A. None.

Q. How many of these persons earned \$11 a week?

A. I could not possibly tell you; we have, I should think, perhaps 20 or 25 outside laborers.

Q. How many earned \$12?

A. That is the lowest price we paid; we have inside labor which we pay a high price for; we paid as high as \$18.

Q. How many earned \$12?

A. I should judge from 20 to 25.

Q. And the others earned how much?

A. We have four men that we pay \$3 a day to; they are runners; there are a great many miners that don't earn this, \$100; to earn that a man must work some.

Q. And must be a very good workman?

A. No, sir; because we have some that earn over \$200; I have 90 boys in the breaker, the oldest probably 11 or 12; they range from \$4 to as high as \$7 50 a week.

Q. What about the rest?

A. They are distributed around amongst the miners who don't make \$100 a month.



Q. How much did they make during that month?

A. The lowest made \$60; the highest made \$227 50.

Q. There is still a large number of the 450 left?

A. Those would be partly miners who don't make this \$100 a month, and my bosses, clerks, carpenters, blacksmiths, drivers, &c.

Q. Can you furnish me the pay-roll for the month of August?

A. I will send it to you on my return.

Q. Was there not a percentage paid over the basis in 1869, of 18 per cent.?

A. I don't recollect the exact amount; we paid over the basis.

Q. These wages that you say the boys and men got, was that in 1869?

A. In 1870.

Q. What did they get in '69?

A. I cannot tell you without the books.

Q. What would you have paid these men that got \$11 a week, if the basis had been \$2 50?

A. My figures would be the same as Mr. Kendricks.

Q. Your complaint is that you have capital invested, and your works have not been running the length of time they should run?

A. Yes, sir.

Q. You complain of somebody else because you have not been fortunate?

A. No, I don't particularly complain; I say the reason I have not run more is not because I desire to stop my colliery; the reason I have not run is because my men would not work.

Q. Do you complain?

A. If that is a complaint then I complain.

Q. Where did these men buy the necessaries of life?

A. I cannot tell you; a portion of them bought from my store; I had, up to October, 1870, a store of my own.

Q. How long did you run in October, 1870?

A. Not at all.

Q. Then you had all the time you were running a store of your own, and sold these men the articles?

A. Whenever they choose to come.

Q. What did you get for flour during the time that these men got \$11 a week?

A. About \$6 50 a barrel, to the best of my recollection.

Q. What was the price of ham?

A. I think about from 16 to 18 cents.

Q. The necessaries of life were dear then?

A. No, sir; not so dear as they had been.

Q. How much more did you charge these men than what they could have got them for at the stores in the adjoining town?

A. Not one cent, to my knowledge.

Q. How about powder—do they pay for that?

A. Yes, sir; we deduct it from their wages.

Q. How much would that reduce the miners' wages?

A. It would depend upon the amount of work; a man earning \$100 would burn four kegs of powder, at \$3 50, making \$14.

Q. How much oil?

A. I suppose one gallon a month; that would be \$1 50.

Q. You take off \$15 50?

A. No, sir; these statements of prices which I give you are net after all his items are deducted.

Q. Your pay roll will tell me how much was taken off for these things?

A. Yes, sir; and for all the other things that enter into our account.



Q. Don't they sometimes buy the oil and powder at other places?

A. They get their oil at Trevorton; the men there have a co-operative store; not half of the men dealt at the store in which I was interested, because they had been accustomed to deal elsewhere; my instructions to the clerks were to sell as cheap as anybody; when parties deal at our store who are working for us we have the account and deduct what is due the store.

Q. Will the paper you are going to send me show the hours they worked?

A. It is impossible to say how much the men on contract worked; I can give you the statement of my bosses; I can say this, that my men are going home all the way from one to six o'clock.

Q. We can get the number of weeks?

A. Yes, sir.

Q. Are not the tickets sometimes lost from the wagons after they leave the mines?

A. They are sometimes lost and sometimes stolen.

Q. Was not that what the trouble was about?

A. No, sir.

Q. Did you offer to reduce the price of contract work at the time you took possession of the colliery?

A. No, sir.

Q. What was your basis in '70?

A. The \$3 basis.

Q. Were the Schuylkill men working then?

A. A part of the time.

Q. In October, before you suspended generally, you wanted to reduce the contract work 20 per cent.?

A. No, sir.

Q. Are there any collieries in your neighborhood working now?

A. I cannot tell you.

Q. Don't you know that there are collieries working there now that send coal over the Northern Central?

A. I do not know of but one; I do not know which way the coal goes.

Q. Are there not collieries in your neighborhood now working that send coal over the Northern Central that used to send it over the Reading?

A. It is possible, but I don't know that such is the case.

Q. Is the Langdon colliery at work?

A. Not to my knowledge; I live ten miles from there.

Q. Have you been at Shamokin?

A. Yes, sir.

Q. Were you at the Philadelphia meeting?

A. I was at a meeting; I was at a meeting held something like five weeks ago.

Q. What did they do?

A. Appointed a delegate to attend to certain business.

Q. What was the certain business?

A. I hardly know.

Q. What did they do?

A. The result was to appoint a delegate to confer with other parties in the same interest.

Q. Who were the other parties?

A. I do not know.

Q. Was it the railroads?

A. I presume, from what I heard, they were to be parties.

Q. Mr. Borda acted as your agent and the agent of these operators, and was appointed for that purpose?



A. I hardly think it could be so considered ; he had no discretion to act ; he was to hear.

Q. He was authorized to do certain things ?

A. Not to my knowledge.

Q. Just to go and see and hear, and not to say a word ?

A. I believe so.

Q. Did he ever report ?

A. I believe so.

Q. Was there a meeting subsequently called at which a report was made ?

A. I have heard so ; I was not at the meeting.

Q. Do you know that Dennis Mullin is the secretary of the W. B. A. ?

A. I do not.

Q. Do you know John Wright ?

A. I do not.

Q. Do you know that this is the seal of their association ?

A. No, sir.

By Mr. Gowen.—Q. You stated you made \$1,300 in August—did that include the interest on your investment ?

A. No ; I charged simply what I gave out and what I took in.

Q. How much did you lose a month during this temporary suspension ?

A. I suppose it costs now about \$1,000 a month to feed the mules and do the pumping.

By Mr. Hall.—Q. Would it not be good policy to sell those mules ?

A. Probably it would ; but it is hard to get good mules.

Q. If you quit work with 50 mules on hand, and choose to keep and feed them, do you think anybody else ought to be charged with that folly but yourself ?

A. I have not charged them.

Q. Did you direct Borda to make an arrangement or proposition to the Delaware and Western road ?

A. I think not.

Q. Or any other road ?

A. I think not.

Q. Was there any agreement made between the men and operators for 1871 in Northumberland county ?

A. I have understood so ; I was not present at any such meeting nor a party to any such agreement.

Q. Have you heard any operators say so who is here ?

A. I do not know whether they are here or not.

Q. [Paper shown witness.] Please look at that paper and say whether the operators told you they made that bargain ?

A. Yes, sir ; I understand that is the text of the agreement that was made.

[Offered in evidence and marked Ex. "C." The paper purports to be an agreement between the operators and men of the Northumberland region, by which the operators agreed to pay the \$3 00 basis.]

A. M. Eastwick, called by Mr. Gowen, being duly sworn, testified as follows :

Q. You are engaged in the coal business, are you ?

A. I am president of the Burnside coal and iron company, located at Shamokin ; we have one colliery, known as the Luke Filler colliery ; we employ, at various times, 1,500 men ; I suppose we will continue to employ this summer about 300 or 400 ; that includes boys ; the colliery is now prepared for about 10,000 tons a month.

Q. Who is your superintendent ?



A. William Sharpe.

Q. Tell your manner of working there and if any interference has been made on the part of the men—any threats or anything connected with the stoppage of work?

A. I have been acting perfectly independent of the W. B. A. for the past year, and generally acknowledge them as having no powers over me, or ever will. In 1869 there was a suspension and the collieries were all idle for several months. In the month of June I went to Shamokin for the purpose of seeing what could be done to help matters; I talked with the men; they seemed to be very reasonable; I concluded they should go to work; my effort was to get the entire region at work; Schuylkill had started; we got them together and there was a fair understanding; I stated to the men that I was willing they should sell their labor for the highest price they could get; I wished them to act perfectly independent and I should do the same; I agreed to their basis and complied with all their wishes; during the year they threw many obstacles in my way contrary to the agreement; I worked during 1869 at a loss; in November I gave orders to stop the gangways for the purpose of getting clear of some of the leaders who were the disturbers of the colliery; I gave orders to discharge all hands; in January, 1870, we worked part of the month; several persons desired to come back; one of the disturbing elements in our place was a man by the name of Munday, a blacksmith—a very impertinent; the W. B. A. know him; at all events Mr. Munday did not suit me and I discharged him; a committee waited upon me immediately to know why I discharged Mr. Munday; I gave them as my reason that he did not suit me; I was told by the committee that that would not answer their purposes—I must give a definite reason and state the causes; I declined; they left and went to the colliery and ordered the stoppage of the whole work; I went to the colliery to ascertain the facts and found it was so; I then requested the inside boss to collect a few of the men and send them to my office, so as to ascertain the cause; they came and said they were desirous of working, but the orders were to quit; I asked by whom; they answered: “The orders are that we must quit; we may work if we see proper, but we know the consequences; we dare not work;” while we were conversing with those men, one of this committee that waited upon me to ascertain why I discharged Mr. Munday, came in and asked: “What are these men doing here?”

By Mr. Hall.—Q. Were they members of the W. B. A.?

A. They called themselves such; they told me frequently they were; they wanted to know why I had those men in my office; I told them that was my private business, and they had no right to come there; this man said: “I adjourn this meeting—go out;” I had him arrested; you will find his record in the court of Northumberland county; the man got up and walked out of the place; I ordered him out of the place; I went to Sunbury that day and had a warrant for those men and had them arrested and bound over, and had other men engaged to work in my colliery, where I could find independent men to work; it was not long before I placed a watchman around the colliery; on the 4th of March a gang came around at midnight and fired into the house, killing one of the men I had; this was in 1870; this caused me to act independently and not have any association direct me in my affairs; after the death of this man we telegraphed for assistance, finding that things were getting desperate; the answer was: “Exhaust your local authorities;” we concluded the local authorities had been exhausted; I then engaged five extra watchmen to put on the place; we sent to the Governor to commission extra men, which I would pay for;



and he did so; he commissioned two policemen, under the seal of the State, and I kept them there; these men were a protection; the men, finding they could be protected, came in; but I was obliged to arm them all; every man had a pistol, and the watchmen had rifles; that was the manner in which I had to conduct my business last year. I am termed in that region a "black leg"—that means those who don't belong to the union; those who do not belong to the W. B. A. are termed black legs. This was during the entire year of 1870. Coal became low; I was about to stop the colliery in December, 1870, as it would not pay at the wages that were being paid; the men who had stood by me during the entire summer requested me to go on with the work, and for their sakes I continued, and paid them, while I was losing money on the sale of coal; when the order for suspension took place, on the tenth of January, not a man left it; about a week afterwards a gang of men came around and fired into the houses in the village; I was there at the time; in the morning I called the men together and told them there was nothing to be made in the colliery; I did not wish to endanger their lives; I was obliged to repair my breaker, and I suspended them all; but they are ready to go to work at any time as independent men.

By Mr. Gowen.—Q. How much money has been invested in the improvements you have control of and in the land you own?

A. I have been operating upon those lands for the last ten years; I suppose I have expended over \$200,000 in the operation; my land and all concerned, is worth about \$500,000; there are about 600 acres of land; I have owned that about 15 years.

Q. As the manager of a colliery and the owner of land, I wish you to state whether or not it is of importance that the colliery should work continually, and state the effect of these constant suspensions?

A. It is important to work continually if we wish to realize anything out of our investment; to work at intervals we loose one month what we gained the former; therefore, it is necessary to work a colliery at the fullest capacity.

Q. You have worked at a loss?

A. Yes, sir.

By Mr. Lamberton.—Q. Tell us in relation to the destruction of any ventilating apparatus of yours?

A. In July last year they attacked my engineer in the night; he heard them and fled from the engine house; he heard the remarks they made, and thought he was to be attacked; he got out and gave notice to the police; by the time the police got there they had torn the engine to pieces, and carried parts of it away; the men were at work at that time.

Q. This engine was the one that turned the fan?

A. Yes, sir.

Q. That fan was necessary for the protection of the men?

A. It was placed there according to law, to ventilate the mines. I also commenced to drive a shaft, to get another air-hole to the men, and they all quit it; they said they dared not work; I was obliged to stop it and commence underneath and work up, at great expense. Subsequent to the tearing to pieces of the engine, on a Sunday afternoon, when the watchman was away, they set fire to the engine house, and destroyed the engine and fan, and all that was there. However, they did not stop me long; I got ventilation in a few days; so that during the entire year I was at great expense to work an independent colliery. Any man has a right to sell his labor for what he can get, and I have a right to pay what I can. I will have no committee making a price; I found the men perfectly willing to work, and I have paid them good wages.



Q. Can you tell us what wages a good miner has been able to earn in a day at your mines?

A. No, sir; that is a matter I cannot enter into.

Q. Is your superintendent here?

A. Yes, sir.

By Mr. Hall.—Q. What was the name of the man that was killed?

A. James Buchanan.

Q. Where was he killed and when?

A. On the 4th of March, 1870, in the engine house attached to the breaker.

Q. Do you not know that that was before the W. B. A. was incorporated?

A. I know nothing about their incorporation.

Q. Do you say that the W. B. A., or any one of them, was connected with the shooting?

A. I do not say who shot them; I have my suspicions; I believe some of them are out of the world now.

Q. Do you remember the fact that a man by the name of Rea was killed up there?

A. I remember it.

Q. Do you not remember that Pat Hayes was charged with his murder and tried in Columbia county and acquitted?

A. I do not know; I never read criminal cases.

Q. Do you know who committed these deeds that you talk about?

A. I don't know any thing about it; I have made no charge against any one and do not now.

Q. Have not these crimes become less frequent since the organization of the W. B. A.?

A. No, sir; in our region they have become more frequent.

Q. What crime has been committed since the incorporation of this association?

A. George Hoffman, one of the independent men that worked for me, was killed.

Q. When was that?

A. On the 4th of March, 1871.

Q. Don't you know that this association has offered a reward for the murderer of George Hoffman?

A. I have heard it and read the account some where; I think it was in the *Monitor*.

Q. Do you know that any body connected with the W. B. A. had any thing to do with this crime that took off George Hoffman?

A. I have no knowledge; no man can tell, when there is a gang of men out at the dead hour of night.

Q. Did you ever know of gangs of men going around shooting before this association was organized, outside of this case of James Buchanan?

A. Not personally; merely from rumor.

Q. Don't you know it was frequent?

A. I do not.

Q. What wages did you pay your men in 1870?

A. I decline to give that; that is my private business; you nor any other man has a right to inquire about my private business.

[The witness was required to answer.]

Q. Please tell me what wages you paid your men?

A. I don't keep the accounts of the colliery and cannot tell you.

Q. You told me you would not tell because I had no right to inquire into your private business?

A. I did not tell you I paid any thing.



Q. Tell us what you paid as near as you can?

A. I cannot tell.

Q. Tell us what you paid outside laborers?

A. I do not know; you can get that information from the superintendent.

Q. Tell me what you paid inside laborers?

A. I do not know.

Q. Nor miners?

A. No, sir.

Q. What is your superintendent's name?

A. William Sharpe; he is here.

George B. Markle, called by M. Gowen, being duly sworn, testified as follows:

Q. Where do you live?

A. Hazleton, Luzerne county, in the Lehigh region.

Q. What is your business?

A. Coal operator.

Q. Of the firm of George B. Markle & Co., at Jeddo?

A. Yes, sir.

Q. How much did you ship in 1870?

A. 342,000 tons; a portion of it goes over the Lehigh Valley and Lehigh Navigation canal.

Q. When did the present suspension occur in your region?

A. January 10, 1871.

Q. Was there at that time any difficulty between you and your men upon the subject of wages?

A. None whatever.

Q. Tell us what you know about any suspensions or annoyances in your collieries by the acts of the workingmen?

A. In the first place, on the 30th of June, 1869, I entered into a contract with my men; the contract was signed by eight (8) of my men as a committee; they represented themselves to me as members of the W. B. A.; this paper has their seal. I asked them if that was the seal of the association.

[Agreement offered in evidence. Objected to by Mr. Hall, unless it was authenticated. Admitted if connected with these men. The following is the agreement:]

JEDDO, June 30, 1869.

That is to have 60 cents per ton on Oakdale and Jeddo slopes. When coal is selling at \$5 00 per ton at Port Johnson or Elizabethport our sliding scale shall be  $12\frac{1}{2}$  per cent. on the ton price for every dollar that coal advances at the above named places, and the reduction of coal, in the same proportion.

(Signed)

THOMAS E. MORPETH,  
CHAS. EDWARDS,  
P. ROGAN,  
CHAS. A. JOHNSON,  
ALEX. DUYER,  
THOS. A. BUCKLEY,  
GEO. TURNER,

NEAL <sup>his</sup> × M'GINLEY.  
mark.

G. B. MARKLE & Co.

M. & L. association of the A. C. F. & C., local Jeddo district, No. 23.



Witness—I settled with my men at those rates, and the men struck and refused to settle in that way, because, they said, other mines were paying their men, when coal advanced one dollar at Elizabethport, ten cents per ton; the consequence was, I had to accede to their demands or allow my collieries to remain idle.

By Mr. Lamberton.—Q. The men represented themselves as a committee?

A. I supposed I was dealing with members of the W. B. A.; they represented themselves to me as such.

Q. What did they say with reference to the seal?

A. They said it was their district seal; I have some papers with the district seal on; we worked on that contract a short time, and I complained to the men that I could not stand their violation of it, and our work stopped; I told them that I would be compelled to carry out that contract. We remained idle about a month and a half or two months, when we drew up another contract; we were idle several times during 1869, and this contract was drawn up on the 10th of November, 1869; it is a contract similar to the other.

[Agreement offered in evidence.]

Mr. Hall—If the gentleman proposes to connect this with the W. B. A. we do not object.

Mr. Gowen—We propose to do so.

Witness—This is the agreement that I made on the 10th of November, 1869, with our men, and the agreement they have been working under ever since.

Agreement read as follows:

The basis received by miners shall be sixty cents per ton, in the Buck Mount vein, when the average price of lump, broken, egg, stove and chestnut coal at Port Johnson shall be \$5 per ton, and in addition thereto they shall receive ten cents per ton on each dollar that the price of coal advances, and reduce the same on each dollar that coal recedes in said market.

Witness our signatures this 10th day of November, 1869.

(Signed)

THOS. A. BUCKLY,  
ALEX. STEWART,  
GEO. TURNER,  
E. C. MYERS,  
G. B. MARKLE & CO.

November 11, 1869, we, the undersigned, acknowledge the erasure of article twelve to be correct.

Witness—When I had my notice of suspension this year I wanted to know of the men who waited upon me how they could violate this contract; my contract did not specify that they could stop when it went below \$5; the reply was that they had received an order from the Grand Council of the W. B. A., and that it did not make any difference what price I paid them, they were going to stop; I have another similar contract; my mines are divided into two branches; this is the branch where I have three collieries; this is signed by three (3) men, and reads as follows:

That no member of this association shall disturb, molest and interfere with any person who does not belong to their association, nor interfere in any way with the management of the mines.

Witness our hands this 11th day of November, 1869.

(Signed)

NEAL P. JOHNSON,  
WILLIAM BRADLEY,  
RICHARD BENFIELD.

Stamp  
10 cents.  
G. B. MARKLE & Co.



[Offered in evidence.]

Objected to by Mr. Hall.

Admitted, if connected with the association.

Witness—That clause was violated, I think, every week that I worked last year; I will read a lot of notices that came under the same head as the other papers, notifying me on different subjects; I received them from the men.

Objected to.

Admitted under same conditions.

Witness—Here is a paper, dated May 1, 1869; I received it from our workingmen:

JEDDO, *May 1, 1869.*

Mr. G. B. MARKLE & Co.:

SIR:—We, the miners and laborers of Jeddo, do hereby notify you that there will be a general suspension of mining in the anthracite coal regions of Pennsylvania, to commence on Monday, May the 10th, 1869; and moreover, that we intend to take part in the movement, believing that it will be to our benefit to do so; we hereby notify you that we will not mine nor load any coal whatever after the 8th day of May, 1869, until said suspension is over.

(Signed) THE MINERS AND LABORERS OF JEDDO, PA.

Witness—I can give the names of the men who handed that paper to me; I have another similar paper here.

JEDDO, *August 7, 1869.*

To Mr. G. B. MARKLE:

SIR:—Your workingmen respectfully inform you that they intend to stand by their basis, and they request you to take their laborers' time to-day, the 7th of August; and they request you to pay on the 15th of this month or work will be suspended.

A. REESE, *President.*

(For the men,)

T. E. MORPETH, *Secretary.*

Witness—I have got some that are signed by the men.

Q. Tell us who handed those papers to you that have no signatures?

A. They were handed to me by the reputed secretary of the W. B. A. at our place; his name is Thomas Morpeth, one of my workmen; he told me he was the secretary. Here are other notices that I received:

JEDDO, *May 4, 1869.*

To GEO. B. MARKLE & Co.:

1st Resolved, That we demand an advance of thirty-five cents on the car, from the 1st of May, 1869, to bring us on a level with the other collieries in this valley.

2d Resolved, That the demand is to be paid on the 15th of May, 1869.

3d Resolved, That we demand to have the Dupont powder at \$4 00 per keg, or we will buy our own powder.

4th Resolved, That we will not allow any strangers to work here in Jeddo until the men that is here are all employed.

5th Resolved, If those notices is not complied with we will not resume work after the suspension until they are complied with.

(Signed]

THE WORKINGMEN OF JEDDO.



JEDDO, August 14, 1869.

To G. B. MARKLE:

This is to notify you that the men cannot accept your terms as specified in your notice to the men, and it was

*Resolved*, That each and every man who belongs to the Workingmen's B. A. suspend work after the 15th of this month.

T. E. MORPETH, *Secretary*.A. REESE, *President*.

JEDDO, November 30, 1870.

To G. B. MARKLE, Esq.:

DEAR SIR:—At a special meeting of Jeddo branch, held on the above date, the Pink Ash question was brought up and discussed; when it was *Resolved*, That they will not allow any more footage upon any account; and it was further *Resolved*, That if the Pink Ash slope stop on account of the tonnage the rest of the slopes will stop also.

NEAL P. JOHNSON, *President*.

JEDDO, LUZERNE COUNTY, PA., January 7, 1870.

GEO. B. MARKLE, Esq.:

SIR:—At a stated meeting of the W. B. A., held the 7th ult., the lease question was brought up and discussed; many and various objections were presented in reference to the said lease. The men finally decided to make you a proposition, in this wise:

The workingmen of Jeddo agree to appoint a committee of two men, to meet two men appointed by G. B. Markle, for the purpose of drawing up a lease; the said committee to consist of one private and one professional man of the first and second part, and the said form of lease to be strictly in conformity with the State law; the said form to be submitted to the branch for examination before signing.

You will please appoint your men and name the time and place of meeting, so as the branch can act likewise.

We remain your humble servants,

A. REESE, *President*.ENOCH P. EVANS, *Vice President*.

Witness—I had a lease signed with my men which gave me the power to move a man out of a house within two weeks; we frequently have cases when we have discharged men and we had no control over our houses; they would go to an adjoining colliery and work as long as they had a mind to; we got up a lease whereby we were able to control our own property, and the men objected to it; some of them presented petitions to have their names taken off; here is one of them:

HIGHLAND, May 21, 1870.

Mr. G. B. MARKLE &amp; Co:

SIR:—We, the undersigned, occupants of houses at Highland, and having signed the ten day lease for said houses, we therefore request you to withdraw our names from said ten days' lease, or otherwise put its contents in force by dispossessing us of said houses, according to its statements and specifications; or we, the undersigned, will consider ourselves free from the impositions and contents of said lease at the expiration of thirty days from this date. Signed as follows

(Signed by)

ALFRED GREEN,  
WILLIAM JOHNSON  
JAMES LEWIS,  
and twenty-four others



Q. Were those men employed by you?

A. Yes, sir.

Q. And occupied houses of yours?

A. Yes, sir.

By Mr. Hall.—Q. You had the right to throw them out in mid-winter at ten days' notice, and they wanted more than ten days?

A. Yes, sir; we objected to it, but we defied them to show an instance where we threw a man out of our house.

By Mr. Lamberton.—Q. In the event of the discharge of your men you wanted to get possession of your houses?

A. Yes, sir. Here is a notice with two seals.

JEDDO, LUZERNE CO., PA., *April 16, 1870.*

GEO. B. MARKLE, Esq.:

DEAR SIR:—This is to notify you that at the expiration of six days from date the workingmen of Jeddo, under your employ, shall suspend work until such time that there is a satisfactory lease drawn between you and us, and signed by us, each party holding a copy of the same.

Very respectfully yours,

ENOCH P. EVANS, *President.*

M. & L. association of the A. G. F. of L. co., Pa., Jeddo district, No. 23.  
Jeddo branch No. 1, W. B. A., Luzerne co., Pa.

Here is a notice of suspension, dated March 1, 1870.

JEDDO, LUZERNE CO., PA., *March 1, 1870.*

TO GEO. B. MARKLE:

DEAR SIR:—You are hereby notified that we, the workingmen of Jeddo, under the employ of G. B. Markle & Co., shall, at the expiration of six days from date, suspend work, which will be on the 7th inst.

Yours respectfully,

ENOCH P. EVANS, *President.*

Here is another notice:

JEDDO, *June 13, 1870.*

G. B. MARKLE, Esq.:

DEAR SIR:—At a special meeting of the W. B. A., of Jeddo, the following resolutions were unanimously passed:

*Resolved*, That we will suspend work June 14th, until Mr. Markle shall have gotten a legal lease, and we will sign no lease but a legal lease, in conformity with the State law; and be it further

*Resolved*, That we get our goods on the first of the month, and our pay on the 15th, as other places and other men. Said payments to be made in full.

ENOCH P. EVANS, *President.*

T. E. MORPETH, *Secretary.*

I had agreed to pay my men from the 15th to the 20th. Here is another:

NOTICE.

JEDDO, *August 13, 1869.*

There will be a special meeting of the Jeddo branch of the W. B. A. held in the Jeddo school house to-morrow, Saturday afternoon, at two



o'clock. Every member is requested to be present, as there will be business of the utmost importance (to every man working about the mines) to transact. Any member who does not attend will be fined, according to the rules of the society. Let the work stand if necessary.

By order of the president.

A. REESE.

T. E. MORPETH, *Secretary*.

That was put on our store door by Thomas Morpeth; I know that positively; here is one dated February 2, 1870:

HIGHLAND, *February 2, 1870.*

MR. G. B. MARKLE:

We, the breast-men of Highland, request the gangway men and the opening-out men to lay idle with the breast-men; they get the empty cars which is left empty. The breast-men want to stop it.

JOHN BURTON,  
EDWARD MYERS,  
FRANK WARNICK.

We drive our gangways at night, so as to get ahead. Here is one in regard to the eight (8) hour system:

HIGHLAND, *March 1, 1870.*

MR. G. B. MARKLE & Co.:

SIRS:—You are hereby duly notified that the members of the Highland Branch of the W. B. A., will suspend work on Monday, March 7, 1870, unless the decision of the region mass meeting is to the contrary.

Yours respectfully,

THOMAS A. BUCKLEY,  
GEORGE TURNER,  
EDWARD MYERS,  
ALEX. STEWART.

As the Scranton region did not go into it we only suspended a week. I received the following notice from the president of the Branch:

HIGHLAND, *December 9, 1870.*

MR. G. B. MARKLE:

DEAR SIR:—I have been requested by the members of the Highland Branch of the M. & L. B. A., to communicate to you a resolution that was passed in the above named Branch, concerning you calling men from their work. It was

*Resolved*, That when Mr. Markle sends for any person from this Branch, and they lose their day's work, that the company pays the person called on, as the Branch declines paying any more. If anything of importance you want to lay before the men, if you please to note it on paper, and send it to me, I will attend to it with all promptness, and any answer you may wish to get I will send without any delay, and may save a little animosity among our men here.

Yours respectfully,

CHARLES S. BOYLE, *President*.

I have another paper here that caused considerable trouble; I had a man by the name of John M'Grogh, who drank a great deal and who was getting into trouble with his neighbors; I have had the neighbors come to



me and complain of him, and want him discharged. I was sitting in the office one day when this man came out of the hotel with a bottle in his hand; they came down and reported that he had stolen a bottle of mineral water. I discharged the man, and here is the notice I received:

JEDDO, *December 10, 1869.*

MR. G. B. MARKLE:

SIR:—You are hereby notified that we, the workingmen of this place, do not consider that you have any just reasons for discharge John M'Grogh from his work; he has broken no rule connected with your works, neither has he used any abusive language to you or to any of your foremen, nor has he in any manner interfered with your business; therefore, we request that John M'Grogh be restored to his work, and you are hereby notified that if this request is not complied within six days from this date, Friday, December the tenth, (10,) 1869, we, the balance of the men, now working under you, will suspend work on the seventh day, (Thursday,) December the 16, 1869.

Yours very respectfully,

*Workingmen of Jeddo, Pa.*

This case was carried before the district meeting, and I met the men there and endeavored to explain; we got the matter amicably settled. At one of our slopes during 1870, we paid for 2,080 tons to a man that were not mined. I spoke to the president, and proposed to stop that, and received a reply objecting to it; I paid on rather than be stopped. We stopped work on March 2, 1870, and went to work March 9th; that was an order the men stated issued from the Grand Council. May 17, 1870, we stopped work, and went to work on the 24th—the men stating that there was a misunderstanding. June 14th our men struck on the lease question—some of them; they stopped but one day. August 12th the men stopped because the miners refused to go down before seven o'clock to work. When I got a copy of the ventilation bill I put up a notice that the miners should be into the works before seven in the morning, because we were not allowed to have them pass up and down when coal was passing. The men came there that morning about half past seven or eight o'clock, and would not walk down into the mines; we could not allow them to ride down under the bill; they sent down to the men already in and ordered a stoppage.

Q. Under the act of 1870 you are not permitted to have the men ride down, and because you wanted to enforce the act of 1870 there was a strike?

A. Yes, sir.

Q. Were there any other interferences or dictations made by the men?

A. I do not think that I spent six weeks during 1870 without having a committee wait upon me for something.

By Mr. Petrikin.—Q. Did they stop because they were required to walk down the slope?

A. Yes, sir; they stopped one day; they submitted to it the next day and went to work.

By Mr. Lamberton.—Q. Are there any other acts of interference on the part of the men employed by you that you have now to speak of?

A. They have frequently set prices on work that we knew nothing of, and in case we did not accede to their terms they would stop. In the early part of July, 1870, I went away; before going I called some of the principal men together and told them I expected to be gone some thirty days, and wanted to know if there were any difficulties unsettled; I did not want a stoppage in my business when I was away; they said there was none and



should be no stoppage while I was gone; I had not been gone two weeks when my men stopped, on the question of payment; they wanted payment earlier than we had been in the habit of paying; they only stopped one day; the clerk started to pay the men before he had the books balanced, and succeeded in satisfying them; and when I returned home I called in our president and talked to him about it, and he said there were so many ignorant men among them that they could not be controlled.

Q. State what wages were made by the miners at your works during 1870?

A. Under the first contract, in 1869, we had men making from \$300 to \$700 per month; under our contract of 1870 I took off 30 names, not selected, and those 30 men had made an average of \$5 58 a day; these were miners working by contract; they paid their laborers \$13 20 per week inside; that is under the contract of 1869, which carried us through to the 10th of January, 1871.

Q. Was there any complaint at any time on account of wages paid?

A. I never heard any.

Q. All were satisfied?

A. Yes, sir.

Q. How many hours a day was the average of those who worked on contract?

A. I do not think the miners will average over five hours per day in a large vein; we had five miners that I don't think spent one hour a month in the mines from some time in August until the close of the season; we had a "squash" and they claimed the coal; a pressure came on our pillars in the mines and pressed the coal out of the breasts, and the men claimed it, and we paid the men as though they had mined it.

Q. What were you paying the men at the time of the suspension in January?

A. On a \$5 50 basis; that was 50 cents above the basis price the men agreed to work for.

Q. Then there being no complaint on account of the wages, would they have worked for any price, so far as you know?

A. The president of the Jeddo branch said the price was not a consideration; if I was to pay an \$8 basis they would not work; they had been ordered to suspend by the Grand Council and were going to; it was not the price in our section of the country.

Q. The increase of tolls upon the railroads had nothing to do with the price, had it?

A. Not anything.

Q. What effect has this ventilation bill upon your works?

A. I do not know that it has created any special change in our region; we have been subject to some expense in regard to it; we put down some speaking tubes in the mines, but it is utterly impossible to hear anything but a rumbling sound through them; the men were satisfied, and said that was a dead letter in the law, so far as carrying sounds 900 feet was concerned.

Adjourned until 8 o'clock this evening.

The committee met at 8 o'clock P. M. Present—Messrs. Davis, Dechert and Petrikin.

George B. Markle re-called for cross-examination.

By Mr. Brockway.—Q. Are you connected or interested in any of the iron works at Danville?



A. I have a slight interest in a small rolling mill at Danville.

Q. How many men had you who earn \$700 a month?

A. We had but two; I was giving an extreme case; I said from \$300 to \$700.

Q. Was not one of those two a son-in-law of one of your bosses?

A. No, sir.

Q. Do you mean that by his individual labor he earned that amount?

A. Yes, sir.

Q. Did he not have others employed with him who assisted to make it?

A. One laborer; just as all our men work with.

Q. None of your miners work with more than one laborer?

A. One laborer.

Q. What does it cost to mine a ton of coal and put it on the cars at Hazleton?

A. I cannot answer that question.

Q. Take an average during 1870?

A. I should suppose that the average price would be \$1 50 per ton.

Q. What were the average prices at Elizabethport or Hoboken during 1870?

A. I cannot tell you that; they run between \$5 and \$6.

Q. What was the cost of transportation from your place to Elizabethport?

A. I cannot answer that; some of our firm reside in Philadelphia, and they attend to that; I attend to nothing but the mining.

Q. How many tons of coal could an average miner get out in a day at your works?

A. We have had men mine as high as thirty tons in a day; I think the average would be eighteen tons a day.

Q. How much would the miner receive per ton on an average?

A. We paid, in the days I speak of, fifty-five cents per ton to the miner.

Q. Do you keep a store in connection with your colliery?

A. Yes, sir.

Q. Is the main traffic of your store with your employees?

A. Yes, sir.

Q. What are your sales?

A. I cannot answer.

Q. Do you always pay your men in cash when they demand it?

A. We have a pay day running between the 15th and 20th of the month, and we pay our men on those days in cash.

Q. Have you ever discharged any of your men because they would not take trade at your store?

A. Never.

Q. Do you know the rates of freight from your place to Elizabethport?

A. We transport over the Lehigh Valley and Jersey Central roads; I think the rate, in 1870, was something over \$3 per ton for the whole distance to Elizabethport.

Q. What is it now?

A. We have had no coal to ship; I do not know what the rates now are.

Q. Is there now or has there been an agreement among the operators of your section not to employ men who have belonged to the W. B. A., and who have been discharged from other collieries for striking, &c.?

A. I do not know of such an arrangement.

Q. Has crime increased in your section since the organization of the W. B. A.?

A. I don't know that it has.



Q. Is not the tendency of the organization to repress crime?

A. Since the organization has been formed we have had a police force in that region, and we have attributed it, in a great measure, to the police force.

Q. Do you remember anything about one of these coal police tearing down a notice put up by Mr. Williams, now a member of the House from Luzerne?

A. I heard of it.

Q. Did you endeavor to shield him from being prosecuted for it?

A. Not any; I asked Mr. Williams if he had a warrant; he said no.

Q. Did you draw a revolver upon any person for wishing to put up this notice?

A. No, sir.

Q. Are the prices in your store the same as in other stores in the neighborhood?

A. Our clerks are ordered to sell goods as low as any other store in the region; I do not know much about the store; it is managed by them; some of the leading articles I know are down.

Q. Are not the miners required to furnish their own powder, oil, drills, picks, axes, saws, &c.?

A. Yes, sir.

Q. Are they not at a greater expense than ordinary mechanics because they require different clothing to enter the mines?

A. Well, there are other mechanics and artisans that I think wear out more clothing than miners do; probably the miner may wear out more than a carpenter.

Q. Is it more dangerous to work in the mines than at different mechanical trades above ground?

A. We have been mining about eleven years, and I think there has been eleven miners killed; we have shipped probably 2,000,000 tons of coal in that time; and, I think, seven out of the eleven men were killed through their own carelessness; one of them I warned out; after warning him I walked out to the extreme end of the gangway, and before I returned they told me he was killed.

Q. Do I understand that you consider the occupation as safe as ordinary occupations?

A. In certain parts of our region I think it more safe than riding on railroad cars; I think the miner is as safe as a carpenter.

Q. Has there not been a sinking of mines and a great many people destroyed in your region lately?

A. Yes, sir; at the old works at Stockton the houses had been built before the present proprietors took charge, and the old workings had been worked out, and I presume they knew nothing about it; a crush was brought upon the mines and I believe two families went down; they were not killed by working in the mines under ground; it was the sinking from the surface.

Q. Were not your men willing to work for 1871 for the same rates they worked for during 1870?

A. I presume they were; I do not know anything to the contrary.

Q. Was not the strike induced by your attempt, so far as your men were concerned, to reduce the wages below what they had received in 1870?

A. They stopped when we were paying them fifty cents above the basis price.

Q. Was that more or less than the rates of 1870?

A. It was the contract under which we were working, or fifty cents above what they claimed to be their stopping point.



Q. Was it greater or less than they received in 1870?

A. Some months greater and some months less.

Q. The price to which you have referred, was that an agreement as to any particular length of time or for a temporary time?

A. There is the agreement, [referring to the agreement already in evidence;] we calculated that was to run until it was mutually stopped.

Q. Either party had the right to terminate it when they saw fit or proper?

A. My interpretation of it was that it was to be mutual; it was for no fixed time.

Q. Do you not profit in your region by a suspension in the Wyoming valley or in the Schuylkill region, in case your men are working?

A. That depends upon whether the price of coal advanced or not; we have generally been idle when the others have been at work; last year Schuylkill was idle, but it made but little difference with us; I don't know that we received any benefit from the advanced price of coal in consequence of Schuylkill county lying idle last year.

Q. Did you not say that the object of the raise of freights was to break down the W. B. A.?

A. I do not recollect saying that.

Q. Did you not say to them that unless they would suspend on or about the 5th of January, that you and the rest of the operators would do so?

A. I do not recollect ever saying anything of the kind.

Q. You did not say so to Enoch P. Evans?

A. No, sir; I have no recollection of making any such remark to any body?

Q. You spoke in your direct examination about the case of John M'Grogh; did not the W. B. A. discharge him after that transaction?

A. I discharged him, and the W. B. A. eventually sustained me, yet it gave me a great deal of trouble; and, furthermore, when the evidence was brought in, two men came forward and swore positively that he was not in the hotel when I saw him with my own eyes; I thought if that was the testimony I had to combat with the less I had to do with it the better; they were members of the association—they said they were; that is the only way I know; I was sitting about sixty yards from this man when he came out of the hotel.

Q. If all the collieries, or most of them, in the anthracite regions, are at work, is not the supply of coal greater than the market demands?

A. Well, perhaps at the present time it would be; but my impression of the coal trade is that if coal was produced at a price sufficiently low there would be a demand for all that could be mined.

Q. Did you ever give any days' notice to the men when you stopped work?

A. Yes, sir.

Q. How many?

A. I think our agreement was six or ten days; I do not recollect.

Q. Did you not keep your colliery idle four months, in 1869, because some of your men joined the union?

A. No, sir; I did not keep my colliery four months idle in '68 or '69; my colliery was idle for a few weeks, I think, in 1868.

Q. For that reason?

A. If the union was established in 1868 I did it for that reason; it was only sometime in 1870 that their charter was given by the Legislature.

By Mr. Hall.—Q. These grievances you speak of and these notices, &c. You know nothing of your own knowledge whether these men were members of the W. B. A. or not?



A. Nothing only what they told me; I have nothing further than that, and their seal.

Q. Do you know that was their seal of your own knowledge?

A. No, sir; I have seen their seal, and seen them stamp papers.

Q. Do you know that the stamp upon any of these papers was their seal?

A. Nothing more than I have told you.

Richard Sharpe, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you reside?

A. In Eckley, Luzerne county—in the Middle coal field.

Q. How many men do you employ?

A. I suppose our average number of men and boys would be about 300.

Q. What is your product?

A. Last year it was upwards of 160,000 tons.

Q. How long have you been in the business?

A. Since February, 1838, in different capacities.

Q. How much did your men earn, at the rate of the \$5 basis, for the last year or two?

A. I have looked over some of the accounts; there is a good deal of change; some worked a few months, and some commenced in the middle of the season; my book-keeper looked over the accounts of some who had worked the season through; some forty names, taken through the roll, averaged nearly \$900 for the year; the lowest on the list was somewhere in the neighborhood of \$450; he was not a regular miner, and had been a sailor; the highest was over \$1,200.

Q. What class of workmen?

A. Miners—contract men.

Q. Was there any dispute about wages at the time the suspension occurred in your region?

A. No, sir; there was no dispute.

Q. You were paying at the same basis?

A. At the same basis Mr. Markle explained to you.

Q. Have you had any instances of stoppages at your colliery, or differences with the men?

A. Probably we have had as few interferences of that kind as any colliery in the neighborhood; I have always counselled the men to continue at work and be satisfied with moderate wages; it would be increasing the consumption; when the consumer could not depend upon a regular supply of course it limited our ability to sell the product.

Q. What is your opinion of the effect upon the trade of these repeated strikes for the purpose of curtailing the production?

A. It has been very disastrous to us; our sales have been to large consumers—rolling mills, steamships, &c.; we don't send much to Elizabethport.

Q. What has been the effect in the market, or among your customers, of this sudden interference with the regular production?

A. They have gone to other fuel; some are burning soft coal; we find it a difficult matter to induce them to return; the steamships are using bituminous; the rolling mills are using bituminous almost all together, or semi-bituminous.

By Mr. Hall.—Q. You speak of employing 300 men and boys, and the average of some is \$900 a year?

A. I said for last year.

Q. How many of them earned that?



A. About forty men have averaged that who have worked the whole year; many of them who have worked a part of the year averaged at that rate when they did work.

Q. Those forty were skilled miners, working at contract price, under ground?

A. A great many of them were not what we call first-class, skilled miners; probably not in the mines five years.

Q. How much did the other 260 get?

A. I could not tell you.

Q. What did you pay outside laborers during the same time?

A. We paid from \$1 60 to \$2 a day on the \$5 basis; when it was more we paid more.

Q. What did you pay inside laborers at the \$5 basis?

A. The lowest was \$13 20 per week; sometimes they received extra, above that.

Q. How many of these 300 were outside laborers, including mechanics?

A. I suppose fifty or sixty.

Q. How many were inside laborers?

A. There might probably have been seventy-five or more—that is including the repairers and helpers.

Q. What did you give the rest of the 300?

A. There are boys who received various wages; a boy of sixteen years of age, who drives a mule, gets as much as an outside laborer; some who drive two mules get as much as an inside laborer.

Q. \$1 60 to \$2 a day?

A. More, some of them.

Q. Was the basis then \$5 at Elizabethport?

A. The rate was calculated at \$5 50 in August.

[The witness produces pay list.]

Q. Take December, when there was a \$5 basis—what did you pay outside laborers?

A. Here is a man who worked 260 hours; his wages were \$52 for twenty-six days; that would be \$2 a day.

Q. That man worked every working day?

A. Yes, sir.

Q. I suppose the average run did not do that—sometimes they would have sickness, I suppose?

A. Sometimes, I suppose; every one is liable to that.

Q. Name over several?

A. [Looking at the pay-roll.] Here is a man who worked twenty-four days, his wages were somewhat lower; he earned \$43 20; he was a teamster's assistant; a teamster worked twenty-three days and made \$46 00.

Q. Take the next man?

A. He appears to have worked only ten days; he made \$22 90; the next man worked twenty-one days, and made \$41 60; the next man worked twenty-three and a-half days, and made \$47 50; the next twenty-two and a-half days, \$45 00.

Q. Give me the rate of inside laborers for the same month at the same rate?

A. The first one I come to worked twenty-four days, and made \$54 96.

Q. Is he a married man?

A. No, sir; the next one is a man who worked with a miner and earned \$39 60 in eighteen days; the next one, who is a married man, made \$59 54 in twenty-six days. Here is one who worked twenty-one and a-half days



and made \$50 88; he worked inside; the next twenty-one days—\$46 00. These are men who worked by the day for the miners—inside laborers.

Q. Do you deduct the doctor's bills, whether they need doctors or not?

A. Yes, sir; men go there with the understanding that they are to pay a monthly stipend for the doctor.

Q. Whether they need him or not?

A. They pay for a doctor monthly; if they need him every day he goes.

Q. They pay him to keep them well?

A. Yes, sir; we think it the best plan.

Q. You employ the doctor?

A. No; he lives there.

Q. How much did they pay every month?

A. Single men pay 50 cents and married men 75 cents, and he furnishes the medicine.

Q. Is that 75 cents for each member of the family?

A. No, sir; unless some of the family are grown up and earn men's wages, and then they pay because they are liable to accident.

Q. Suppose a man is injured in the mines, do you take care of him or does the association do it?

A. I don't know what the association does for them. I know we have frequently made advances to those who were injured, and when they have got well and able to work they would walk off and leave us.

Q. Suppose a man was killed in the mines, and left a widow and children, do you know that the association takes charge of them and pays them?

A. I do not.

Q. Do the operators do that?

A. We do not pay them so much a month, we often contribute to the wants of the needy. I can refer to one case where a man was sick for some time and died of consumption; he left a widow, with two or three children—small boys—who were working on the breakers, selecting coal; their wages were not sufficient to re-pay what we had advanced; about a year ago the widow married again; up to that time the balance against her account was \$374; this man who married her, because we would not make further advances, left us.

Q. Did this man die of consumption, because of working under ground?

A. I don't think he worked under ground; people on the surface of the ground has consumption.

Q. This is an exceptional case—you do not make those advances often?

A. Yes, sir; I can show you several.

Q. How long have you been in the coal business?

A. Since 1838.

Q. There was no dispute between the men and operators about wages when the last suspension occurred?

A. None at all—no notice of the suspension from the men either.

By Mr. Petrikin.—Q. What caused the suspension?

A. It was noised abroad before we heard of it ourselves; our customers were writing to us that if a suspension were to take place to send them an additional quantity of coal; they thought that we were all powerful and could produce our production *ad libitum*, which was impossible; when the men ceased we would have to cease, too; I spoke to one of our men, and told them they did not give us any notice; he asked if I had not seen it in the *Monitor*; I don't know that I was obliged to subscribe to the *Monitor*, or read it; that appears to be evidence that that paper was the official organ.

Q. What caused the suspension?



A. This *Monitor* had given the proceedings of the General Council in which the suspension was ordered to take place on the 10th of January.

By Mr. Hall.—Q. Was there an association of coal operators up there?

A. No, sir.

Q. Nothing of the kind?

A. No organized association; we frequently met.

Q. Do you belong to the New York Board of Trade?

A. No, sir; the operators who sell coal in New York have a practice of meeting monthly and fixing the price for the next month; they issue a circular to their customers; the W. B. A. demand a copy of that, so as to know what their wages shall be for the month.

Q. These gentlemen go to New York and meet and fix upon the wages for the workingmen, at a meeting in which the W. B. A. have no representation?

A. Most of those who attend to that business live in New York; they fix the prices; our agreement is similar to Mr. Markle's.

Q. The miners and laborers were not represented at the New York meeting?

A. I suppose not; I was not there; that was not their agreement that we should participate.

Q. Did not some of the operators in your country notify the men that they would not pay this price any longer? Don't you know that fact—I mean before the suspension?

A. No, sir; after the suspension we notified them that there would be a change; we had always argued that the rates were too high; after paying the transportation and expenses it left little or nothing to the operators, at five dollars.

Q. Has not the business been a prosperous business with you?

A. We have some years made money and some we have lost; taking it as a whole it has been reasonably prosperous.

Q. These men did not inform the miners before the suspension that wages would be reduced?

A. Not that I am aware of.

Q. Are you working now?

A. No, sir.

Q. Is there any work being done up there?

A. None except Mr. Packer's, and I cannot speak positively of that; I don't know how he gets his coal to market.

Q. This bituminous coal—is it got entirely from Bradfield company?

A. I think not; I noticed that the smoke of the chimneys that that coal was being used; I suppose the use of it is being increased. You asked me about cases where we had made advances to persons to supply their wants. I will state another: A man applied to me in the early part of the month; he asked me if we would advance him and his family some provisions; he was not destitute yet, but if the strike should last through April he would be in want; I told him if he was sick he should not want for provisions; as it was, he was walking about idle, and that put a different face upon the matter. I took the trouble to look back over his account for six years. The result was this: His own earnings in that time averaged \$1,325 a year, or \$25 for every week in the six years; or, as near as I could tell, for the days he had worked, \$5 27 a day. At the beginning of 1865 he had a balance standing to his credit. I thought it was singular that one of our best workmen should make a request at that time; at the commencement of the six years he had a credit of \$105; he had sometimes two or three boys at



work, and their earnings during these six years, added to his, amounted up to over \$12,000.

By Mr. Gowen.—Q. What was his average for those six years?

A. His own earnings were \$7,955; from suspensions there was about fourteen months lost time.

By Mr. Hall.—Q. Do you know any men that saved any money, who had a family, on this basis of five dollars, who was an outside laborer?

A. I cannot call to my recollection any now; I cannot tell what they do with their money.

Q. You would know if it was a balance increasing from year to year?

A. I cannot tell what they do with it; there is a balance of \$229 in favor of one.

Q. Did he save that?

A. I don't know what he saved.

Q. Is he an outside man?

A. Yes, sir; his wages were two dollars a day on the \$5 00 basis; I believe he has a wife; I don't think he has any children.

Q. Did he buy any thing at your store?

A. I think it is probable he did; his store bill for December was \$10.

By Mr. Petrikin.—Q. Do you charge for their fuel?

A. Yes, sir; a moderate amount.

By Mr. Hall.—Q. Look over several months and see how many days this man worked—take December?

A. He worked full time in December, 26 or 27 days; he earned \$53 that month; in November he made the same; I think he worked all the time.

Q. What was his business?

A. I think he was a screen boss.

Q. How much did he get in July?

A. \$53.

Q. Do you get any commission on any of the bills the men pay?

A. The butcher, I believe, allows something on the calculation of prompt payment to him.

Q. How much percentage?

A. Sometimes we don't charge anything and sometimes three per cent., which depends sometimes on the amount; sometimes it is scarcely worth making a charge.

Q. Who does the percentage come from?

A. The butcher.

Q. Don't it come off from the men in the end?

A. I don't know; I pay just the same for my meat.

Q. Don't the butcher charge the men more than he charges you in order to be able to pay you a commission for collecting his debt?

A. We do just about the same as a lawyer does when he collects a debt and charges the commission.

Q. Does the butcher make the laboring man pay that commission?

A. He charges his bills at the regular price, the same as he charges me, and sometimes less.

Q. Was there anything else that there was commission charged for?

A. No, sir.

Q. Do you charge more in your store than they could buy elsewhere?

A. When we made this proposition in February to the men to go to work provisions were lower than when we made the basis in 1869, and to convince the men that they would earn as much I examined the price of goods at that time and at the present time, and had a circular printed and issued to the men showing that fact; some one said it might be so, but that it was



not so at Hazleton and other places; I thought it singular, because at Hazleton there are two co-operative stores for the benefit of the miners.

Q. There is no co-operative store at your place?

A. There is one near there; there is a co-operative store and independent stores.

Q. How long has the co-operative store been started?

A. A year or more.

Q. That was started in order to prevent the men being charged too much?

A. No.

Q. What was it for?

A. I don't know; the workingmen are the stockholders, I suppose.

Q. You stated that whenever the men did not like your terms they could leave?

A. Yes, sir.

Q. They have that right?

A. Yes, sir.

Q. They exercised that right when they thought best?

A. I suppose they do.

Q. And they are likely to continue to do it in the future?

A. I suppose so; I have no control over them.

Q. And you don't pretend to own the men?

A. No, sir, they control us sometimes; they go away and still keep our houses.

Q. You have your legal remedy; do you have your ten days' notice in the leases?

A. I don't think we have any under leases.

Q. Had you an arrangement with the men by which you could turn them out at ten days' notice?

A. We had at one time an arrangement, but I do not recollect the number of days.

By Mr. Gowen.—Q. Do you mean to say you keep a record of the earnings and expenditures of your men so that you can tell how much they spend?

A. No, sir.

Q. Does your books show what the man saves?

A. No, sir; it shows that our men did not draw all the money; that is all; I can show their balances; that don't show that they saved it.

Q. This payment of fifty cents a month to the doctor was agreed to by the men?

A. The men know that is one of the rules when they go to work.

Q. The doctor is obliged to attend when they are sick?

A. Yes, sir.

Q. They pay nothing extra?

A. Not for accidents or sickness.

Q. This New York meeting to fix the prices—that is to fix the price of coal?

A. Yes, sir.

Q. Have you ever heard that it was customary to ask the men to consult you as to what price you should charge your customers?

A. No, sir; I don't think that is usual in any business.

Q. Have not the men agreed to take a rate of wages which should depend upon what you received for the coal?

A. What the Board of Trade received.

By Mr. Hall.—Q. As you have referred to other branches of business,



please to tell me any man who pays his men the sliding scale in the manufacturing business?

A. I don't know of any.

Q. Do you know of any branch of business in which it is done except this?

A. No; I think when the manufacturer gets a high price he pays a higher price to the laborer.

Q. In your bargain the laborer is to get their much or little according to how you sell coal in New York—whether for a large price or small price; are not the men, therefore, directly interested in what coal brings in New York?

A. Of course.

Q. And yet at the time these prices are established nobody represents them?

A. I suppose not; I have never been present.

Q. Don't you get your labor at the cheapest rates you can?

A. We get it at the same rates other people pay.

Q. Do you complain of the workingmen getting as good wages as they can for their labor?

A. We pay them according to the price of coal; we pay the same price as others do.

Q. Do you complain, as an operator, for these men getting as much for their labor as they can?

A. I do not.

By Mr. Gowen.—Q. You stated a little while ago that a man had the right to leave when he pleased; has he, after leaving, a right to prevent any many from taking his place?

A. They claim that right.

Q. Do you think he has a right morally to do it?

A. I don't think he has.

By Mr. Hall.—Q. Does the Workingmen's Benevolent association of Pennsylvania claim that right?

A. I don't know that I can answer that question; I have not read their constitution; I don't know whether, as an association, they claim it or not; I know that there have been complaints made when a man has been put in the place of one who belonged to the association.

William Carr, called by Mr. Gowen, being duly sworn, testified as follows:

Q. You are superintendent for Linderman & Skeer, at the Stockton mines?

A. Yes, sir.

Q. How long have you been there?

A. I have been there for sixteen years.

Q. Give us any statements of notices, intimidations or stoppages of pumps, or anything of that kind lately. [Paper produced.] What is this paper?

A. That is the copy of a paper that I received.

Q. Where is the original?

A. It was lost; Dr. Linderman lost it; I know that to be a true copy; I was there and compared it; I have made search for the original.

Q. Who gave you this?

A. I think it was Malcolm Ferguson.

Q. Who was he?

A. A member of the association.

Mr. Hall.—This does not purport to be a notice served upon witness by anybody.



Mr. Gowen.—I offer it under the previous ruling.

[Admitted if connected with the association. Marked E.]

By Mr. Gowen.—Q. You say the original of this was handed to you?

A. Yes, sir; I then sent it to Dr. Linderman, in Mauch Chunk; before I sent it I had this copy made and compared it with the original; I will swear that this is correct; the original has been mislaid, and Doctor Linderman cannot find it.

Q. What was the result of that?

A. The result was that the men all joined the Union, except one, and he left; he was a teamster; he lost his place; I went around and talked to these men myself, and told them we did not wish to discharge them nor to have the mines lying idle.

Q. You have had some trouble since the suspension?

A. Yes, sir.

By Mr. Hall.—Q. Did any suspension take place on account of this?

A. No, sir.

By Mr. Gowen.—Q. Give us the history of any trouble since the suspension?

A. In general we paid the \$5 00 basis; the men stopped on the 10th of January; the Lehigh Board of Trade, I believe, having no coal to sell, did not alter the price of wages. The president of the district was away from home, I believe, three or four days; he came home in the evening; on the 6th of February, I believe, he asked me what the price was going to be for this month; I told him I had not had any orders to change it, and that I presumed it would be the same as the previous month.

Q. That was for "dead work."

A. Yes, sir.

Q. You were not shipping coal?

A. No, sir; he said he did not think it would do, and they called a meeting about it, I believe; they held a meeting on the 7th, I think; they came that evening and told me that the firemen should all be stopped; they ordered them to stop; I told them not to stop until I saw the doctor.

Q. What occurred?

A. The pumps were stopped from seven in the morning until the day following.

Q. How did you get them started again?

A. By giving them a \$7 50 basis; I came home and sent for the president of the W. B. A. for that district; I told him to get his men together, and told him we would pay him—there were two newspapers stating the price of coal, one said \$7 and one \$7 50—I will give you \$7 50, and told him to go and get his men and get those pumps started; before we got steam up it was about half-past two o'clock; they worked on until the 15th of February; they then stopped the pumps again; they stopped the firemen working.

By Mr. Hall.—Q. You know the fact?

A. I know the men stopped working; the pumps stood from the morning until the next day at about four o'clock; I sent to Hazleton and got a police force, and the pumps are now running under this police force, and have been ever since.

By Mr. Gowen.—Q. What would have been the effect of stopping the pumps for a week or two?

A. We could not have drained the mines in a year.

Q. How many collieries have you there?

A. We have four slopes hoisting coal and one pumping water.

Q. What is the annual production about Stockton?



A. We produced last year 278,000 tons. I have another notice here; it is a letter which was sent to me.

[Letter produced.]

Q. Who was that directed to?

A. One of our ticket men; he is now helping to keep the water out; he did belong to the Union; he withdrew and worked. I sent around in the evening, before I employed the police force, with Mr. Brodhead to every fireman except two, who lived far away; I offered firemen \$3 a day provided they would go to work; I told them I would give them until 7 o'clock the next morning to consider it; finally I waited until eight the next morning, and they did not come at all; I offered them protection, and that if the mines stopped working and the men struck against them, that the company would pay them for the time lost. They did not refuse, but they did not come.

Q. That was to save the whole property from destruction?

A. Yes, sir.

Mr. Hall objected to the paper, as being hearsay evidence.

Mr. Gowen.—I will not press it unless I can prove that the witness received the letter; I will withdraw it for the present.

Mr. Hall.—We do not admit that John Lloyd or anybody else other than the head of this organization can bind it.

By Mr. Hall.—Q. You were the agent of Linderman?

A. Yes, sir.

Q. Linderman is the son-in-law of Packer?

A. Yes, sir.

Q. You say that these men joined the Union—were you ever in the Union?

A. No, sir.

Q. Did you see them join the Union?

A. No, sir.

Q. Do you know any thing but what they told you?

A. No, sir; they told me so; I know some of them left it.

Q. Do you know that they joined?

A. No more than what they told me.

Q. Then you don't know it of your own personal knowledge?

A. I know if they had not joined these men would have stopped.

Q. Do you know of your own personal knowledge whether Thomas James is the secretary of the organization at this particular point?

A. I don't know positive; I would recognize his signature.

Q. Do you know it of your own personal knowledge?

A. I have heard say he was; that is the only way I know it.

Q. Do you know of your own personal knowledge that one man did not join the Union?

A. Yes, sir.

Q. Why?

A. He left.

Q. Might he not join it and then leave?

A. He would not be likely to.

Q. Do you know of your own personal knowledge that any of these men that did what you say is wrong belong to the W. B. A.?

A. I did not say it was wrong.

Q. They did not work at the pumps?

A. That was before.

Q. Did any of those who would not work at the pumps belong to the association?

A. I suppose they did.



Q. Do you know it?

A. Nothing more than what they say.

Q. Did Linderman notify his men that he would not pay the rates of 1870 for 1871?

A. No, sir; nothing more than by this circular.

Q. Do you not know, as the agent of Dr. Linderman, that these men were willing to work at the rates of 1870 for 1871?

A. They never came and said so.

Q. Don't you know it?

A. No, sir.

Q. What is the purport of this paper?

A. That is the printed circular they showed.

[Offered in evidence by Mr. Hall, marked F.]

Q. I want to know, after these men met in Philadelphia to settle everything among themselves, and what the price was to be, and what the workmen were to do and not do, what the object in choosing an umpire was?

A. I cannot answer that question; I don't know.

Q. You have had a great deal of experience in the coal business?

A. Some.

Q. What complaint could any man have against his men if they lived up to everything that is in there?

A. They did not.

Q. Did not Dr. Linderman notify his men that he would not pay the rates of 1870 for 1871?

A. Not that I remember of.

Q. Don't you know that they were all notified of it long before any strike or talk of a strike?

A. No, sir.

Q. Have not these men the liberty to stop work and give up their places, if they choose?

A. I suppose so.

Q. And the only penalty is that they do not get paid?

A. That is all, I guess.

Q. And can you suggest any other penalty that could be put upon them?

A. They are their own free agents; they can do as they please.

Q. Did any one stop the firemen, or did they stop themselves?

A. They stopped themselves, so far as I know.

Q. These works are along the line of the Lehigh Valley railroad?

A. Yes, sir.

Q. They are not in operation now?

A. No, sir.

Q. No coal being shipped there now?

A. A little, I suppose.

By Mr. Gowen.—Q. You say before the suspension took place the men were not told that their wages were to be reduced?

A. No, sir.

Q. Did you tell them?

A. No.

Q. Never told them anything of the kind?

A. No, sir.

Q. You are the one who generally communicates with them?

A. Yes, sir.

Q. Mr. Linderman did not live at the mines?

A. No, sir.



By Mr. Hall.—Q. Do you pretend to say that Doctor Linderman did not tell these men that he would not pay the wages of 1870 for 1871?

A. I don't know that he did.

George S. Repleir, called by Mr. Gowen, being affirmed, testified as follows:

Q. Where do you live?

A. Philadelphia.

Q. What is your business?

A. Mining and selling coal.

Q. How long have you been connected with that business?

A. About twenty or twenty-one years.

Q. At the time the suspension took place in Schuylkill, on the 10th of January, was there any dispute between you and the men as to wages?

A. There was not.

Q. Are you working now?

A. No, sir.

Q. Why don't you commence to work?

A. There was suspension ordered by the Grand Council of the working-men, and they stopped.

Q. Have not they ordered a resumption since?

A. They have.

Q. Why don't you go to work?

A. Because we could not agree upon wages.

Q. What did they ask?

A. I am not positive about that; I think it was the \$3 basis.

Q. Is that the reason you are now idle?

A. That is the reason I am now idle.

Q. Had you determined not to go to work at these wages before the tolls were raised on the Reading road?

A. I determined not to go to work before they raised.

Q. Is it the high tolls on the Reading road that keeps you idle?

A. No, sir.

By Mr. Hall.—Q. Have you been a member of the W. B. A.?

A. God forbid.

Q. Have you ever been in any of their meetings or councils?

A. I have not.

Q. How do you know that they did this?

A. When I picked up a paper and read the proceedings of the Legislature here, I take it for granted that what I read is so. I pick up the *Monitor* and I read what the Grand Council have passed, and I take it for granted it is so.

Q. You get the information that you give here, and give us on your solemn oath, from the newspapers of the country, and that is the only information you have on the subject?

A. I sometimes get my information from others.

Q. Where did you get the information?

A. I think I read it in the papers.

Q. You got it in no other way?

A. Yes, sir; I have been told by other parties.

Q. Then you have got it by hearsay and by reading the papers—that is all you know about it?

A. Yes, sir.

Q. You are not aware that the obligation was to tell what you know of your own personal knowledge.



A. Yes, sir.

Q. Have you of your own personal knowledge any information about the W. B. A.?

A. I have not said so.

Q. Have you?

A. I have not.

Q. When you say "they asked more than we could pay," you mean that certain men asked more; you don't know what organization they belonged to; is that right?

A. No.

Q. Then give us an answer that is right.

A. If you want it of my own personal knowledge I cannot answer at all.

Q. Could you work successfully and pay \$6 00 for carrying a ton of coal from Port Carbon to Philadelphia?

A. I could resume if I could pay the wages that are demanded, and if I resumed alone I think I could make it pay and give those wages even at the high rate of toll, or if the entire regions resumed I don't think I could.

Q. Do you consider \$6 00 for a ton of coal from Port Carbon to Philadelphia a reasonably fair and just rate?

A. I do not.

Q. You consider it unreasonable, unfair and unjust?

A. I consider it unreasonable.

Q. You are largely engaged in the coal business?

A. Tolerable.

Q. One of the largest operators in Philadelphia?

A. Yes, sir; I am a pretty large operator.

Q. Did you ever make an offer of wages to the men since the men offered to resume work?

A. Individually I did not.

By Mr. Gowen.—Q. The coal operators united with you and made an offer?

A. Yes, sir; I don't know of my own personal knowledge.

By Mr. Hall.—Q. Did you ever make an offer of wages to your men since the men offered to go to work—do you pretend to say any association made an offer to your men?

A. I do.

Q. Who did it?

A. It was in the public prints.

Q. Do you know that your men saw that and read it?

A. I do not.

By Mr. Gowen.—Q. Your men have committees, and the committees and the operators have met?

A. Yes, sir.

Q. Do you know whether or not the Reading railroad company have agreed to reduce the tolls at the moment there is a general resumption?

A. I know that.

Q. If the workingmen would accept the offer of the operators and go to work, you could all go to work at once?

A. Yes, sir.

By Mr. Hall.—Q. Could you all go to work under the present tolls of the Reading railroad?

A. I told you before, that I could not; Mr. Gowen has promised to reduce; his promises are very good, and he will keep them.

Q. You are taking it for granted that if ——— resumes at those rates,



and the Reading company put its rates down, then you can resume your business?

A. Yes, sir; Mr. Gowen has agreed to put them at less than \$2 00.

Q. When you had the conversation with Mr. Gowen, at which he promised to put them at that, did he agree with you that the present rates are unreasonable?

A. No, sir.

Q. You are a member of the Anthracite Board of Trade of Philadelphia, are you not?

A. No; I am not a member.

Q. Were you ever a member?

A. I was.

Q. At what time?

A. The first of January this year.

Q. Did you attend the meetings that were held between the railroad officers and certain people down there?

A. No, sir; I have ceased connection with the board.

Q. Had they done anything that you did not approve?

A. No, sir; I act with them.

George W. Cole, called by Mr. Gowen, being duly sworn, testified as follows:

Q. Where do you reside?

A. At Tamaqua.

Q. What is your business?

A. Coal operator.

Q. How long have you been in that business?

A. Since October 1849.

Q. You were one of the committee of the Anthracite Board of Trade, that signed that proposition for an adjustment of wages for 1871?

A. Yes, sir.

Q. What occurred—who came with you to the office of the Reading railroad company in November last with that proposition?

A. There was a meeting of the joint committee of the workingmen and the Anthracite Board of Trade to endeavor to adjust the wages for 1871. They met, and the result was a recommendation, upon the part of both, "to work at a certain rate of wages for 1871, on condition that Mr. Gowen reduced his rates of transportation," which was reduced to writing, [paper shown witness;] that is my signature on that paper; there was a sub-committee, on the part of the workingmen in Schuylkill county, consisting of Mr. Siney and Mr. Ryan, and a committee on the part of the operators, consisting of myself and Mr. Kendrick, to consult Mr. Gowen. Mr. Gowen, I think, told us that there would be a satisfactory rate of tolls made for the year 1871, at the proper time—sometime in January or February—and that he would be glad to see the sub-committee again to consult with them.

Q. What conditions did I make?

A. You demanded regular, uninterrupted work throughout the year, and no strikes.

Q. Was that acquiesced in?

A. You said that you were opposed to any suspension; that you thought it was to the interest of all that there should be a regular business. I think Mr. Siney made the remark that there would be too much coal produced, and that something should be done to create a scarcity of coal so as to make certain wages. Mr. Gowen objected and the matter was left in



that shape; you gave them to understand distinctly that you was opposed to suspension.

Q. Did you have any conversations with any of the officers of the association since, about the adoption of that proposition?

A. At the time the proposition was entered into it was stated on the part of Mr. Siney, that there would be no difficulty about having those prices carried out. He afterwards stated in my presence that they had been adopted by the men in Schuylkill county.

By Mr. Hall.—Q. This is a proposition for adjusting the wages?

A. Yes, sir.

Q. You say that Siney told you afterwards that their recommendation had been adopted by their association in Schuylkill county; where did he tell you that?

A. In Mr. Kendrick's office, in Pottsville, in the presence of Mr. Kendrick, and, I think, Mr. Seigfried.

Q. He heard it?

A. Yes, sir.

Q. When was it?

A. I cannot tell you; sometime prior to the suspension in January; I think it was in the latter part of November.

Q. Who else was there besides those you have named?

A. I don't recollect of any person.

Q. He told you that the men of Schuylkill county—the W. B. A. had met and adopted this proposition?

A. That is what I understood him.

Q. Did he tell you so?

A. He told me distinctly that they had adopted that recommendation.

Q. What time in the day was it?

A. I think it was in the morning.

Q. About what hour?

A. About eleven o'clock.

Q. What were you doing there?

A. I don't know that I can recollect that?

Q. What kind of a day was it?

A. A fine day.

Q. What time of day was it?

A. I live twelve miles from Pottsville and left there at half past eight o'clock in the morning.

Q. Who did you meet in Pottsville that day?

A. I cannot recollect that.

Q. Did you meet Senator Randall there that day?

A. I don't think I did.

Q. Who did you meet?

A. I met the gentleman who keeps the hotel where I stopped.

Q. What did they call that hotel?

A. The Merchants.

Q. Did you register your name?

A. If I did not I think they did; it was put upon the book, I think.

Q. Did you tell this to anybody that Siney told you that the men had adopted it?

A. I don't think I did.

Q. Never, up to this time?

A. Yes, sir; I have.

Q. Who did you tell it to?

A. I think to Mr. Gowen.



Q. When and how came you to tell him ?

A. It came out in reference to our difficulties in that county.

Q. When did this conversation between you and Mr. Siney take place ?

A. I think sometime between the 10th of November and the middle of December.

Q. Cannot you come nearer than that ?

A. No, sir.

Q. How long was it after this recommendation was made ?

A. I suppose sometime within the time I mentioned.

Q. How long after the recommendation was it that Siney said this ?

A. Say two weeks ; it was within a month, I think.

Q. You can come within a month of the time and cannot tell what you were doing in Kendrick's office, and yet you recollect this distinctly.

A. Certainly, because it was important to me as an operator.

Q. Was it not important enough to recollect within a reasonable time of when it took place ?

A. No, sir ; I did not put it down.

Q. Did you tell Mr. Gowen ?

A. I think I did.

Q. When and where ?

A. If I told him I told him in his office in Philadelphia sometime within the last month.

Q. What were you doing in his office in Philadelphia ?

A. I saw him upon business ; not about this.

Q. Don't you know that Mr. Gowan told the operators, including W. B. —, that if they would go to work at the \$3 basis he would put the tolls up so high as to prevent doing business ?

A. No, sir.

Q. Don't you know that he said if they carried a small amount he would make them pay for as much as if the road was carrying its full capacity ?

A. I do not.

Q. Did not you tell Colonel Hitner this ?

A. I don't think that I did.

Q. If you did, did you tell him the truth ?

A. I undoubtedly told him the truth, if I told him anything.

Q. Did not you tell Mr. Schall that Mr. Gowen said that if they went to work at the three dollar basis that he would put the tolls so high that they could not do business ?

A. No, sir ; I don't recollect it.

Q. You say it is not true that Mr. Gowen said this ?

A. I do not say so ; I did not hear him say it.

Q. Was it the general understanding among the operators that if they did it Mr. Gowen would do so and so, because he said so ?

Objected to by Mr. Gowen ; objection sustained.

Q. Did you ever complain, last year, about high rates of toll on the Reading railroad ?

A. No, sir.

Q. Do you complain now ?

A. No, sir.

Q. Do you think they are too high—do you think they are reasonable ?

A. No, sir ; I do not.

Q. Are they exorbitant ?

A. They are very high.

Q. It would be quite impossible under them for you to operate successfully in coal ?



A. No, sir; not if nobody operated but us.

Q. If the coal trade was resumed you could not make money at the rates now charged on the Reading railroad?

A. I don't think I could.

By Mr. Gowen.—Q. Don't you know they are going to reduce when they resume?

A. I received notice that they would be reduced.

By Mr. Hall.—Q. Was not the agreement that the basis should not be settled until after the New York meeting?

A. No, sir.

Q. Have you been in the coal business since the Reading railroad put up their freights to this exorbitant price?

A. I have an option now; I do not propose to do it until I can make satisfactory arrangements with men who conduct my coal.

Q. Will you ship if you can make satisfactory arrangements?

A. I will.

J. K. Seigfried, called by Mr. Gowen, being duly sworn, testified as follows:

Q. What is your business?

A. I am in the coal business in Schuylkill.

Q. Had you any conversation with Mr. Siney on the subject of the adoption of the proposition made last November, for 1871?

A. I was present last week in one of the committee rooms here—either Thursday or Friday—and I was talking with Mr. Kendrick after the committee had adjourned, when Mr. Siney stepped up and asked Mr. Kendrick whether he meant to say that he [Mr. Siney] told him the men had accepted that proposition made in November, and if so, when and where. Mr. Kendrick's reply was that he certainly so understood him to say in his own office in Pottsville, to which Mr. Siney replied: "Oh, yes, it was accepted at that time but afterwards withdrawn." That was all that took place.

By Mr. Hall.—Q. Who subpoenaed you in this case?

A. The Anthracite Board of Trade.

Q. Were you a witness before?

A. No, sir.

Q. What were you doing here on Thursday or Friday?

A. Doing like a great many others—waiting; I was subpoenaed before.

Q. At what time did this conversation take place?

A. In the evening, after the committee had adjourned.

Q. Nobody else heard it but you and Kendrick?

A. No, sir.

Q. Kendrick heard all that you heard?

A. I presume so.

Q. Did you hear what Mr. Kendrick said here last night?

A. I believe I heard most of it.

Q. You say Kendrick heard all that you heard?

A. I suppose so.

Q. Did you tell it to anybody?

A. I don't know that I did; perhaps I did; I think I did.

Q. When did you first tell it?

A. I cannot say positively.

Q. If you did not tell it to anybody, how did they come to subpoena you?



A. I told you I believe I did tell it; I don't know when or where, or to whom.

Q. Have you not stated, as regards the safety of property and the prevention of crime, you would rather have that association in existence than not?

A. I have repeated and I say so now; I think crime has largely diminished since they were organized.

Q. Did you talk in your meeting about restricting the supply of coal in order to raise the price?

A. No, sir.

Q. Did you say you would do so?

A. No, sir; I never said so.

Q. Have you ever made any agreement in order to prevent the supply?

A. I have not; I have talked about the policy.

Q. Have you recommended that idea—that such was the proper course?

A. I don't know that I have; I have said that I never believed in suspensions or strikes in order to diminish the supply.

By Mr. Petrikin.—Q. What would be the remedy for an over-production?

A. My idea is, if there is an over-production, that in order to keep it steady, we had better, instead of having suspension, stop one day in a week, if necessary; let all stop one day in a week and prevent a stoppage for any longer time.

Admitted by the Philadelphia and Reading railroad company that they leased the canal between Philadelphia and Port Carbon, last year, for 999 years.

Adjourned until Tuesday next at half-past two o'clock P. M.

HARRISBURG, *March 21, 1871.*

Committee met at half-past two P. M. All the members being present.

Mr. Lamberton offered in evidence the acts of the General Assembly of Pennsylvania concerning the Lehigh coal and navigation company; two pamphlets, containing the charter of the company and the supplements. The original act was approved 20th of March, 1818; the last supplement March 15, 1867. [Marked exhibits "C" and "D."]

Mr. Lamberton—We were also asked for the date of the lease of the Schuylkill canal to the Philadelphia and Reading railroad company; it is dated July 12, 1870, for 999 years, from the 1st of January, 1870.

Thomas Waddell, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Where do you live?

A. Pittston.

Q. You are an operator?

A. Yes, sir.

Q. State whether you have any statement made out of the wages you paid to your men in 1870, and the average?

A. I have a small statement here; the average of miners was about \$5 00 a day.

Q. Look at that statement, and tell me what was the lowest sum made per day by any miner working by contract, and what was the highest.

A. The one working in the most difficult place I had made \$4 72; the highest was \$5 and some odd cents.



Q. Was there any complaint made by your men, as to the rate of wages, before this strike on the 1st of December, 1870?

A. No, sir.

Q. How did the rate of wages you were paying to your men compare with that offered by the Pennsylvania coal company? take the month of September, 1870?

A. It was  $30\frac{1}{2}$  cents a ton more than I paid.

Q. Were they paying  $30\frac{1}{2}$  cents a ton more than you were paying at that time?

A. Yes, sir.

Q. How was it in the month of October?

A. Thirty and a half cents.

Q. How much in the month of November?

A. Fifteen and a half cents.

Q. When did the strike take place?

A. With them on the 1st of December, 1870; with me on the 10th of January, 1871.

Q. How much did the Pennsylvania coal company propose to reduce the wages?

A. Fifteen cents.

Q. Then the proposed reduction of the Pennsylvania coal company, to take effect on the 1st of December, would have brought the wages to the same standard and rate which you were paying.

A. One-half a cent more.

Q. In giving this statement of the average that was made by the miners working by contract in November, you were paying the same, less one-half a cent, that the Pennsylvania coal company offered?

A. Yes, sir.

Q. Do you know how the other companies, in their proposition, compared with the offer made by the Pennsylvania coal company?

A. I could not tell from my personal knowledge.

Q. What are the names of the three large companies in your region?

A. The Delaware and Hudson canal company, the Delaware, Lackawana and Western railway company, and the Pennsylvania coal company.

Q. The excuse for the strike on the 1st of December was the proposed reduction of the wages by these three companies?

A. Yes, sir.

Q. Have you any other statements?

A. When the men in my employ came to me in January and told me they had orders to quit on the 10th of January, I stated to them that if they would work I would undertake to send coal to market; that I had an arrangement made for all the lump coal that I could mine for four days a week. About the 20th or 25th of January I sent for them again and told them I was asked by Mr. Storrs for some lump coal; they said they would lay it before the district delegates of the W. B. A., who met that night; the next day the men informed me that they could not work, so that finished it.

Q. What was the reason given that they could not work?

A. They did not tell me; they said they got orders; the only reason they gave me was that they had orders that they should not work.

Q. Were they satisfied to go to work at the wages offered?

A. Yes, sir; two-thirds of the men were willing to go to work.

Q. There was no dissatisfaction with the wages offered to your men?

A. No, sir; I had no trouble with them.



Q. The orders had come from the association that they should not resume work?

A. Yes, sir.

By Mr. Brockway.—Q. Would you not have shipped coal if the tolls on the railroad had not been raised?

A. I could not, unless I made other contracts than I had already made.

Q. Are you a practical miner?

A. Yes, sir.

Q. How do you know what the Pennsylvania coal company was offering?

A. I was there at the time, in Pittston; I went to their office, and I saw what they offered to pay.

Q. All you know about it is what they told you?

A. I saw their books, and heard what the superintendents told me, and what the committee told me.

Objected to.

Q. How many men had you working for you?

A. About 100 men and boys.

Q. How many of your men worked by contract?

A. About 20 or 25.

Q. How much per ton did you pay your men?

A. I paid from  $62\frac{1}{2}$  cents up to  $93\frac{3}{4}$  cents.

Q. You mean for different months?

A. Yes, sir.

Q. How many tons per day do your men mine, upon an average?

A. If they filled their cars full their would be ten tons.

Q. What was the price of coal at Elizabethport when these wages were paid?

A. I don't know; I could not ship.

Q. How many of your men worked for laborers' wages?

A. About one-half.

Q. What do they get?

A. That depends upon the coal; they get so much, according to the rise and fall of price.

Q. What were the average wages of laborers in your colliery for 1870?

A. I do not know.

Q. As near as you can tell?

A. From June 22, 1869, until December, 1870, one laborer made \$1,069 06, for  $349\frac{3}{4}$  days.

Q. Was he an average laborer in your mines?

A. Yes, sir.

Q. Has there been any difficulty between you and your men?

A. No, sir; nothing more than ordinary little questions; I had a very good class of men to get along with.

Q. When did you pay them?

A. Every month.

Q. What was your agreement with your men?

A. To pay on the 20th.

Q. Did you pay them above the basis agreed upon last year for any months?

A. Yes, sir; a good many months; I can scarcely tell which ones; in August I paid at the rate of \$5 50; I paid at the \$5 basis when I know coal did not average \$5 in New York.

Q. How many months in 1870 did you pay above the basis?

A. I cannot tell.



Q. Did you pay above the basis for six months?

A. I think I did; I am not positive.

Q. Are not your miners prevented from working sometimes by the mines being flooded, or the breaking of shafts, machinery or engines?

A. Yes, sir.

Q. Was not last year, taking the whole of it, an unusually good year?

A. No; I don't think it was.

Q. Was it not a good year for the operators?

A. No, sir; it was not.

Q. You did not make any money last year out of your business?

A. No, sir; my expenses were more than my income.

William Kendrick, re-called by Mr. Lamberton.

Q. Have you a tabulated statement of the wages of a number of collieries?

A. I have; of twenty-seven.

Q. Have you that statement here?

A. I have.

Q. Produce it.

[Statement produced.]

Q. Who prepared that statement?

A. Col. Beath, secretary of the Anthracite Board of Trade.

Q. From what was it prepared?

A. From affidavits from twenty-seven collieries.

Q. Have you those affidavits here?

A. I have.

Q. Where are the collieries located?

A. In Schuylkill and Northumberland counties; I do not know whether there are any from Columbia county or not.

Q. From your own knowledge, and from the information derived from these affidavits, I want you to state what was the average rate of wages earned per day?

A. When I was examined here last Thursday evening I made a statement which I wish to correct; I stated that the average rate of wages earned in these twenty-seven collieries was \$3 62½; I see that it is \$3 48⅓; these are miners working by contract.

Q. What was it in your own colliery?

A. In my own colliery, for the month of August, 1870, the average was \$2 88; that is the St. Clair shaft; for the month of September \$2 63; that is the average of the men working by contract; we have no report for October; for the month of November it was \$2 20.

Mr. Lamberton—We have these twenty-seven affidavits here; I suppose they are not strictly evidence, but I offer them.

Objected to by Mr. Brockway.

Mr. Davis—I do not think the committee will receive them.

Mr. Brockway produces statement of the amount of work done by men in witness's colliery, giving amount of earnings and expenses.

Witness—I recognize these as our statements.

By Mr. Brockway.—Q. Are those correct?

A. I don't know anything about that; these are only statements of the men's work; I have a receipt from each man.

Q. You don't know whether these are correct or not?

A. Not by looking at them here; I think they are.

[Offered in evidence by Mr. Brockway, and marked Ex. E.]

Q. There are two men to each of these?

A. Some of them, I suppose.



A. Pardee, Jr., called by Mr. Lamberton, being duly sworn, testified as follows :

Q. Where do you reside ?

A. At Hazleton.

Q. Where are your collieries ?

A. At Lattimer, in Luzerne county.

Q. How many men do you employ ?

A. I think the average for last year will show from 125 to 150, all told ; that does not include the boys.

Q. How much coal do you ship in a year ?

A. We shipped last year nearly 100,000 tons.

Q. How many months were you at work during the year 1870 ?

A. I think our colliery run 260 days.

Q. Did the suspension of the 1st of December affect you ?

A. We had a suspension in September which was entirely local ; it was a demand made upon us for the discharge of men who did belong to the Union.

Q. You were employing at that time men who did not belong to the Union or W. B. A. ?

A. We had a number who did not.

Q. And the strike in September was caused by your refusal to discharge such men as did not belong to the Union ?

A. Yes, sir.

Q. How long did that strike continue ?

A. We lost nearly a month.

Q. How many men had you employed that were said not to belong to the Union ?

A. I know that we had some twelve or fifteen men that did not belong to it.

Q. Was that their sole ground of complaint ?

A. The first intimation we had was a written notice from a committee stating that if certain men who do not belong to the Union did not join in a certain time, the work would be stopped ; I have the notice here.

Q. Your colliery was idle a month because you refused to discharge men in your employ ?

A. Yes, sir.

Q. What was the result of the suspension ?

A. The men went to work on the terms that they went out on. .

Q. Did you discharge the men ?

A. Not one.

Q. Had you any other suspension during last year ?

A. Yes, sir ; we had one other.

Q. When was that ?

A. On the 1st of September ; our boys struck.

Q. What was that for ?

A. Because there was no fire in the breaker.

Q. Were the boys joined by the men ?

A. They were sustained by the men.

Q. How long did you stop that time ?

A. My impression is that we were out about ten days ; I cannot speak positively.

Q. The men were all the time idle for the reason you have given ?

A. Yes, sir.

By Mr. Petrikin.—Q. Do you mean that the men stopped along with the boys ?



A. They all stopped; the work was suspended during those ten days.

By Mr. Lamberton.—Q. What were the losses that you sustained during those two strikes?

A. It cost us about \$1,000 per month to stand idle.

Q. At one colliery?

A. Yes, sir.

Q. How many collieries have you?

A. Only one in operation; we would have had another if the work had not been stopped.

Notices shown to witness.

Q. One of the notices produced is signed by John Archibald and John Timmins—who are they?

A. Men in our employ, and delegated by the association to give us that notice; I can prove by men on this floor that they belong to the association.

Q. Another is signed by Edward Reilly—who is he?

A. He was president of the Branch at that time; the other two are simply members.

Q. Branch of what?

A. That Branch association at Lattimer.

Q. Were these men employed by you?

A. Yes, sir; they brought that paper, and appeared personally.

Three notices offered in evidence by Mr. Lamberton, as follows:

LATTIMER, *September 7, 1870,* }  
BRANCH No. 2. }

PARDEE BROTHERS & Co.:

*Resolved,* That we are ready to resume work on these conditions, as follows, viz: That you will not have any un-union men employed in or about the breaker; also, if union men will come around that you will hire or employ these union men in the un-union men's places that is working under your employ elsewhere.

Also, that we will not resume work so long as Sam. Klinger is under your employment.

EDWARD RILEY,  
WILLIAM HOWELLS,  
ADAM SISSMAN,  
*Committee.*

LATTIMER, *August 24, 1870.*

PARDEE BROTHERS & Co.:

GENTLEMEN:—You are hereby notified that in ten days from date the members of this branch belonging to the Miners' and Laborers' association will suspend work, unless the non-unionist men now employed in this branch becomes members of the Miners' and Laborers' association.

JOHN ARCHIBALD,  
JOHN TIMMINS,  
*Committee.*

LATTIMER, *July 1, 1870.*

Mr. M. W. COOPER:

GENTLEMEN:—You are hereby notified that in ten days from this date the members of this branch belonging to the Miners' and Laborers' asso-



ciation will suspend work, unless the non-union men now employed in this branch becomes members of this Miners' and Laborers' association.

EDWARD REILLY, *President*.

LATTIMER BRANCH.

By Mr. Brockway.—Q. Are you a member of this association?

A. No, sir.

Q. How do you know, except by what they told you that they are members?

A. That is what they told me; these men are in our employ; I asked the men if those were their signatures; they said they were; I am ready to swear to Reilly's signature; we have his signature on our books.

By Mr. Lamberton.—Q. Who is Samuel Klinger?

A. He is employed by us about the saw mill—sometimes about the breaker.

Q. Was there any difficulty at any time during the year 1870 with those employed by you as to the wages you were paying?

A. Not of any moment; nothing but what I could settle with them as individuals.

By Mr. Brockway.—Q. You spoke about a strike in September, lasting ten days; could the men have worked without the boys?

A. Yes, sir.

Q. How?

A. There was ample opportunity for them to have blown the coal; the men could have worked in the mines.

By Mr. Davis.—Q. How old were those boys?

A. From 14 to 17.

By Mr. Brockway.—Q. And on a cold winter's day could a boy 10 or 12 years of age pick coal out in the open air?

A. On a cold winter's day we do not employ any boy 10 or 12 years of age out in the air; these boys are all employed in the breaker; this was the first of September, and those boys were at the same time running about barefooted.

Q. Don't you know from your own experience that miners are frequently enabled to make larger wages by what they call squeezes—and don't that account for the large wages sometimes?

A. No, sir; in our colliery we do not allow them to take advantage of that.

Q. You take advantage of that?

A. No, sir; we do not take the coal out.

Q. When the miner gets the coal out does he not get the advantage of it?

A. If he can get it out in a certain length of time; but if he takes three months time for a few days' work, I do not see how he reaps any benefit.

Z. P. Boyer, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Are you a coal operator?

A. I was up to the 10th of this month.

Q. Are you a member of the Anthracite Board of Trade?

A. Yes, sir.

Q. Whereabouts is your colliery?

A. My last one was at Phoenix Park; formerly at Trevorton.

Q. How much coal did you ship a year?

A. The last year I was at Trevorton I shipped 67,000 tons.



Q. State any interference upon the part of your men in the management of your colliery.

A. When I bought the property at Trevorton we did not have any association; they introduced it in May, 1869, I think, and from that time out we had continual interferences, and their actions disgusted me so that I sold my interest; after the basis was introduced they raised the wages; I was notified by the members of the association to attend a meeting in the school house, which I did, and they passed a resolution allowing the men to mine only six wagons a day, thus reducing our production; we objected to it, and the result was about five weeks' suspension.

Q. Because you refused to be dictated to as to the number of wagons that should be taken out, your men struck?

A. Yes, sir. It was necessary to take the coal out of No. 8 as fast as possible, in order to save it; they called a meeting of the association, and called attention to the fact that those men were taking too much coal out.

Q. Who took part in that meeting, and notified you of the action of the association?

A. I was notified by Mr. Wright; he was present at the first meeting. I was notified by Mr. John Smith, president of the association, that those men were taking out too much coal, and they must reduce the production from that vein down to 32 wagons a day; when the question arose whether I had better lose the coal or pay 80 cents a wagon, I agreed to pay that; the result was that the 32 wagons did not pay me; we could not take the coal out rapidly enough and we lost the gangway; and it is estimated that there were from 10,000 to 20,000 tons of coal in it at that time; we lost that; it has never been taken out; that was in 1869.

Q. State whether there was any trouble about your buying powder from a non-union man.

A. Yes, sir; we ordered some powder in Pottsville, a new kind of powder introduced there, and sent it to Trevorton; the Dupont powder is considered as good as any in the country; right below Trevorton is a powder mill which was worked at that time by a man who was working in accord with the Union; we sent this powder from Pottsville up to the colliery, and the men struck because we did not have this man's powder who was in accord with the Union, and they would not work until I got that powder.

Q. State whether you had any suspension or strike in connection with the sinking of a slope.

A. I did; I was sinking a slope, and the men were striking on the upper works, and because they were striking they passed a resolution that the men at the slope must strike also; they notified the men that they must quit, and they did.

Q. Had you any difficulty in regard to stopping an airway?

A. Yes, sir; I was driving an airway, and made a special contract with a party—a member of the association; when they got it part of the way up they quit driving.

Q. Did you have any difficulty in January on account of the wages?

A. Not specially on account of wages.

By Mr. Brockway.—Q. Had you any interference with your colliery before the association was formed?

A. No, sir.

Q. How do you know when it was formed?

A. I was in the town of Trevorton the night the association was formed; I know the party that came there to form it; his name was Tom Lewis; he was a man I discharged.

Q. Were you present?



A. No, sir.

Q. All you know is what you have heard?

A. Yes, sir, and the notice I saw the next morning.

Q. How do you know that this man Smith is president of the association?

A. I know by the communications and the conversations I have had with him; he presided at the meeting I attended.

Q. You speak about powder—are you a judge of powder?

A. I ought to be.

Q. Who furnishes the powder?

A. The operators.

Q. Is there sufficient ventilation in your mines to take away the smoke?

A. Yes, sir.

Q. Did your men interfere in any way with your work except by refusing to work at the wages you gave?

A. They interfered as I have described.

Q. They have not attempted to keep other men from working by physical force?

A. They have never attempted to hit any body in the head that I know of.

Q. How much do your wagons hold?

A. 87 cubic feet; the Phoenix park wagons are much larger; there are two kinds of wagons at Trevorton; the slope wagons, I think, are 112 or 116 cubic feet.

Q. Was there a ton of coal in them?

A. Oh, yes, more than that; the Trevorton coal averages about 43 feet to the ton.

Q. When the price of coal is high you make money?

A. Oh, yes.

Q. Does the raise in freights diminish your profits?

A. They never raised the freights when I was mining at Trevorton.

Q. Does not that Dupont powder cause more suffocation in the mines than any other?

A. No, sir.

Q. Would not the miners be supposed to know what injured them most?

A. That would depend whether they understood their physical condition or not?

Q. Were you at a coal operators' meeting when the operators fought and drew pistols on each other?

A. No, sir.

By Mr. White.—Q. Are you in the coal business now?

A. No, sir; not since the 10th of this month, and I do not expect to be again; I have had sufficient experience.

Adjourned until half-past seven this evening.

#### EVENING SESSION.

The committee met at half-past seven o'clock.

Richard Sharpe re-called by Mr. Lamberton.

Q. Give us the number of each class of men you had at the time of the suspension and the wages you were paying them?

A. We had 78 miners on contract work; we were paying 65 cents per ton.

Witness presented the following list of the men employed by his company and their wages:



*Number of men employed by Sharpe, Weiss & Co., at Council Ridge colliery, in the month of January, 1871, at the time colliery was suspended by order of the General Council of the W. B. A., with the rate of wages.*

## INSIDE OF THE MINES.

		Per week.
78	miners at contract work, (by the ton or yard,) .....	.....
5	do ..grading slopes after their contract was done.....	\$18 50
1	do .....	18 00
2	do ..(ordinary,) basis, \$16 00... ..	17 04
41	do ..laborers .... do.. 13 20.....	14 00
7	do .... do..extra hands .....	15 00
1	carpenter on repairs of road, schutes, &c., basis, \$18 00	19 14
4	carpenters and helpers.....do.. 16 00	17 04
1	driver boss .....	15 00
23	drivers and company laborers.....do.. 13 00	13 86
<hr/> 163		
3	boys, (drivers,) .....	12 78
4	do.....do ..average .....	10 72
3	do..doors, oiling cars, &c.....	8 81
5	do....do...do...do .....	6 93
<hr/> 15		
<hr/> 178		

## OUTSIDE HANDS.

		Per day of 10 hours.
12	mechanics and helpers, (average,).....	\$2 64
15	laborers, at .....	2 10
2	do .....	2 00
8	do ....	1 81
14	do .....	1 68
12	do ..old men picking slate.....	1 58
<hr/> 63		
3	boys, picking slate, (average,).....	1 16
9	do.....do .....	75
7	do.....do .....	68
28	do.....do .....	60
5	do.....do .....	50
<hr/> 52		
<hr/> 115		

## MONTHLY MEN PAID FOR FULL TIME.

	Per month.
17 engineers and firemen, (average,) .....	\$68 82
1 machinist, superint'g and repairing machinery, pumps, &c... ..	100 00
6 (men) stable, watchman, despatchers, (average,) .....	56 00
2 ticket bosses .....	.....
1 carpenter boss .....	.....
1 outside superintendent ....	.....
1 inside..... do .....	.....
Book-keeper .....	.....
<hr/> 29	
115 outside.	
178 inside.	
<hr/> 322	



About one-fourth of above are boys and young men under 21 years of age.

Miners at the time of suspension were paid \$1 20 per car, equal to 65 cents per ton, where coal was mined with least labor. Where wheelbarrows or hand-cars were used, or any difficulty presented in the work, an addition or allowance was made.

In 1869 the W. B. A. proposed to restrict the production of coal by allowing a miner and his helper to load *only* twelve tons per day. At that amount as a day's work when they suspended in January, 1871, and rate per ton 65 cents, which we then paid, a day's work of miner and laborer would be..... \$7 80

1 day of laborer, then..... \$2 33

A liberal allowance for powder, oil, &c..... 1 20

———— 3 53

Leaves miner's net earnings..... 4 27

At the rate proposed by men for resumption, 85 cents per ton, the

day's work of 12 tons..... \$10 20

1 day laborer..... \$2 88

Powder, oil, &c..... 1 20

———— 4 08

Leaving for miner..... 6 12

By Mr. Brockway.—Q. Did not the miners pay these helpers out of this sixty-five cents per ton?

A. Yes, sir; I allow for that in the statement.

Q. You deduct for dirt?

A. We do if the coal is very dirty.

Q. How much?

A. That is left to the judgment of the person in charge; it depends upon how dirty it is.

Q. Is it arbitrary with the boss?

A. He is the umpire between us and the men.

Q. The boss may deduct whatever, in his judgment, he thinks is right?

A. Yes, sir; the "dockage" is not excessive.

Q. Has the miner anything to say as to the question of "dockage?"

A. No; they have not anything to do with the dockage, any more than they are told the next morning when they come with their tickets whether there has been anything docked or not.

Q. You count 2,240 pounds as a ton?

A. Yes, sir.

Q. Did the men demand an increase beyond the basis; did they not want a sliding scale?

A. Yes, sir; we offered a sliding scale.

Q. Did they demand anything beyond a basis?

A. We were not selling coal at the time; they demanded that they should be paid upon a basis of \$7 50 at Elizabethport; the basis then was \$5.

Q. Their demand anything beyond that, except that it should be a sliding scale?

A. The paper I have given you shows their demand.

Q. Who demanded this?

A. Their names are there; it is signed by the president and secretary of the association.



Q. What would you consider sufficient wages for an average miner at the present rates of coal?

A. The rates we paid when we suspended; we could not afford to pay them any more, at the price at which we were selling our coal when we suspended; I think the wages we paid two months ago were sufficient.

Q. Do you think the miners should receive more when coal advances in price than when it does not?

A. Yes, sir; we have always paid it.

Q. Do you believe in a basis?

A. Yes, sir; I believe the basis is fair.

Q. Do you believe that when the rates for coal, by the basis, go below a point at which the miner cannot live, he should be compelled to take it?

A. That is for him to judge.

Q. Have you any stoves in the breaker in the winter time?

A. Yes, sir.

Q. Do you consider them necessary?

A. Yes, sir.

Q. Do you keep a store?

A. Yes, sir.

Q. The men deal there largely?

A. They do.

Q. You have a system of orders?

A. No, sir.

Q. Did you before this association was established?

A. No, sir; the men are free to buy when and where they choose; that has always been our rule; we pay them in cash when they want it—sometimes before they want it; I know some men that take their compensation all in cash, and come to the store and buy goods as they want them. I might correct a statement I made the other night in regard to percentage on collections; we are compelled by the law of the State to collect the tax; the men are at liberty to take their money and pay for their meat as they use it; men sometimes take their money, and sometimes leave it; we have paid them interest sometimes on their deposits.

J. B. Moorhead, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Where do you live?

A. My residence is in the city of Philadelphia.

Q. Where are you doing business?

A. I have an anthracite blast furnace on the Schuylkill, thirteen miles above the city.

Q. How much coal do you use a year in that furnace?

A. About 15,000 tons.

Q. If you were compelled to blow out your furnace last year, state what was the cause?

A. We blew out in April on account of a strike in the coal regions, which may be very nice amusement for them up there, but it is death to us; we blew in in August; I spent about \$22,000 in putting the furnace in repair.

Q. What effect have these frequent suspensions upon you?

A. They have such an effect that any man out of the business would keep out; they destroy our business entirely; no capitalist is safe in investing money under the uncertainties that we have been subjected to for the last three or four years.

Q. You are filling contracts now that you have made for the delivery of iron?



A. Yes, sir ; we usually sell from three to five months ahead.

Q. In filling those contracts at the present price of coal, are you making or losing money ?

A. We are losing about \$7 00 a ton on every ton of pig iron we are making now ; we are making from 28 to 30 tons now.

Q. What is your judgment, as a man engaged in the manufacture of iron, of the policy of the railroad companies in increasing the tolls.

A. I think the policy was a proper one ; it is one that I advised, and although I am a sufferer I sustain their course, as appearing to be the only remedy, to show the miners that there was another power besides theirs ; there must be some power exercised somewhere to put a stop to these constant strikes in the mines ; we want cheap coal to encourage manufacturing and provide labor for those outside of the mines.

Q. Then apart from the money that goes into the treasury of the railroad companies by this increase, you think it is good policy ?

A. I think it is ; I think the railroad companies are very heavy sufferers ; what they want is large tonnage ; they cannot get that tonnage if they cannot get coal.

Q. And you cannot run your furnaces at a profit if you cannot get coal ?

A. No, sir.

By Mr. Brockway.—Q. Have the tolls been increased on limestone on your road ?

A. I cannot say ; I do not carry any ; I get it by wagons.

Q. Do you mine the ore in your own neighborhood ?

A. Partly.

Q. Has it been increased on that which you get ?

A. I do not know that it has ; we don't get but little ; I do not think it has been increased.

Q. Then your theory is that this policy of the railroads is right, in order to crush this Workingmen's association ?

A. I think so ; I think there has got to be some power from some quarter to arrest this constant striking and this constant demand upon the coal operators.

Q. Do you think that was the object of the road in raising their freights ?

A. I presume it was ; I have not heard them say so.

Q. What do you pay a ton for coal that you are using now ?

A. \$9 50, I think, for lump coal.

Q. What is the freight on your coal ?

A. The freight is about \$5 65.

Q. How much did the coal cost before the raise of freights ?

A. About \$4 50.

Q. Then the difference in the price is caused by the raise in freights ?

A. About \$1 30 on coal, and the balance on freights.

Q. If you were getting the coal on the old rates could you not make money ?

A. We could for a little while ; this strike would come again ; if they had not raised the tolls and they had commenced work I have no doubt we would have had a strike.

Q. If the additional tolls had not been put on could you not make money at the present prices of iron ?

A. No, sir ; not to fill my orders.

Q. If you had not made contracts at long distances would you not have made money by paying present prices and tolls ?

A. I suppose I could have made a very small profit.



Q. What does it cost you to manufacture a ton of iron at the present time—take No. 2 pig?

A. From \$26 00 to \$32 00.

Q. What do you pay a ton for iron ore?

A. Some costs \$7 50 and some \$3 50.

Q. What does it cost you a ton for limestone?

A. About \$1 30.

Q. You say the railroad is the sufferer—and, therefore, you sympathize with the railroad?

A. So much so that I am willing to bear a share of the loss with them; I think they are doing about what is right; I approve of their course.

Q. Carrying the present amount of coal that they are doing don't you know that they will make more than the entire cost of operating their road—the Reading road?

A. I know they will not; I suppose they are not paying half their expenses.

Q. You say these miners are to blame for these strikes?

A. Yes, sir.

Q. You do not think the operators are to blame?

A. I think they have been in the earlier days, but not for the late strikes; these miners have been getting what they demanded because one operator could not stand out against them. They yielded until they could stand it no longer. Now there has been a combination between the operators and railroad men to stop it; I would like to see the militia called out to protect honest miners who wanted to work.

By Mr. Lamberton.—Q. If the minimum price of coal at Port Carbon was \$3, and the tolls on the Reading railroad were the same they were before they were advanced in the middle of January, could you pay those prices and make money in the manufacture of iron?

A. We could not at the old prices; I could fill my orders and make money; what we want is cheap coal; the prosperity of the country demands it and labor demands it.

By Mr. Brockway.—Q. How cheap do you want it?

A. \$2 50 is the highest it should ever reach in the coal regions.

Q. How high a figure ought tolls to reach?

A. They ought not to be over \$1 75.

Q. Have they ever been that low on the Reading railroad?

A. I think they have.

Q. Do you not know that some of the chief stockholders in that road have purchased large tracts of coal lands in Trevorton?

A. No, sir; there is an English gentleman interested in them.

Q. Cheap coal means cheap labor?

A. No, sir; it gives labor; it furnishes labor to the country; we want labor outside of the mines; give us cheap coal and we will find labor for all the men in the country.

By Mr. Davis.—Do you think a forced submission in any contest is likely to be a permanent one?

A. That is pretty difficult to answer; I think this thing has got into a very ugly shape; I think labor is more to blame than capital; I have been employing labor all my life in iron works; I have never known labor to be severely depressed except when business was depressed; when the employer cannot make enough to pay his men perhaps he must oppress them.

By Mr. Petrikin.—Q. Why would you call out the militia?

A. These miners do not seem to be inclined to let anybody else mine coal but themselves; I want every man to have a chance to work in this mining region; a good man is chained fast to a scallawag and has no chance to raise; let him be ever so ambitious, he is tied down.



By Mr. Brockway.—Q. Do you believe in free trade in iron as you believe in free trade in labor?

A. No, sir.

Q. Did you ever increase the wages of your men unless they demanded it?

A. I have never had a strike; I have paid my men well.

Q. Have you ever voluntarily advanced your wages when the price of iron is advanced?

A. I have frequently offered more, when I could afford to do it; but I do not ask my men to share my losses now; I am loosing \$7 on every ton.

By Mr. White.—Q. Where do you get your coal from?

A. Schuylkill; we are getting it now from Lykens valley.

By Mr. Brockway.—Q. I presume the information about miners not letting others work up there you obtained from what others say?

A. I have it from general reports; I know it to be so.

David Thomas, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Are you engaged in the manufacture of iron?

A. I am, sir.

Q. Whereabouts?

A. On the Lehigh river, 21 miles above Easton.

Q. What company?

A. The Thomas iron company.

Q. How many furnaces have you?

A. Six.

Q. Any rolling mills?

A. There is a company which I represent that has a couple of rolling mills.

Q. How many of those six furnaces are now in blast?

A. One.

Q. Why are not the other five in blast?

A. Because we have no coal.

Q. How much coal do you use in a year?

A. We used in the furnaces last year 150,000 tons; in the mills a little over 25,000.

Q. Can you run your furnaces successfully or profitably with recurring strikes in the coal regions?

A. No, sir.

Q. What effect have those strikes?

A. In the first place they require us to keep a large stock of coal, which involves considerable expenditure; then if the strike continues longer than four weeks we have to blow out, at great loss.

Q. What were you using in the rolling mills?

A. Part anthracite and part bituminous coal.

Q. What are you now using?

A. Bituminous coal altogether.

Q. If the strike continues and you desire to manufacture iron, what change would you have to make, and what kind of coal will you have to use?

A. If we change we will have to move our works to where the soft coal is; if we keep in blast we would have to change our location and change the grates.

By Mr. Brockway.—Q. Don't you occasionally blow out when there is no strike?



A. When we want to repair ; but we don't blow out five furnaces at a time.

Q. Don't you blow out when the price of iron is very low ?

A. Yes, sir ; there are many things that cause us to blow out, but we only blow out one at a time generally.

Q. When the price of iron gets very low you blow out your furnaces ?

A. We have not done so since 1842 and 1843, when iron was low.

Q. What do you pay a ton for coal for this one furnace ?

A. \$4 75 at Mauch Chunk.

Q. What do you pay for its transportation ?

A. I am not positive ; I think \$1 04.

Q. What is the distance ?

A. 26 miles.

Q. What did the freight used to be ?

A. 61 or 63 cents.

Q. Where do you get your bituminous coal from ?

A. From Broad Top, Kittanning, Snow Shoe and a number of other places.

Q. Has the freight been raised on bituminous coal ?

A. Yes, sir, but very trifling.

Q. Is it raised to the same extent as on other coal ?

A. No, sir.

Q. Since the last suspension the rates on bituminous coal have been raised ?

A. I will not say since the last suspension ; perhaps since the 1st of December.

Q. Had any of your furnaces blown out before the 15th of February, 1871 ?

A. Yes, sir ; three of them ; two have been blown out since.

Q. Have you any interest in the Thomas coal company, Schuylkill county ?

A. No, sir.

By Mr. Petrikin.—Q. Were you making or losing money on your iron at the time you blew out ?

A. We did not make any money last year ; we are now losing over six dollars a ton.

Samuel Fulton, called by Mr. Lamberton, being duly sworn, testified as follows :

Q. Are you engaged in the manufacture of iron ?

A. Yes, sir.

Q. Whereabouts ?

A. Conshohocken.

Q. How much coal do you use in a year ?

A. 30,000 or 40,000 tons.

Q. What effect has a suspension in the coal regions upon you ?

A. It destroys us ; it destroys the business.

Q. Are you making iron now ?

A. I have one furnace in blast now.

Q. How many furnaces have you ?

A. We have two, and a foundry, which consumes about the same as the furnaces ; one furnace is out of blast, and work at the foundry is reduced.

Q. When did you go out of blast ?

A. Last week.

Q. Where had you been getting your coal before the suspension ?

A. We had a stock that lasted us pretty well ; we had been buying some wherever we could get it.



Q. What did you pay for the stock you had laid in?

A. About \$4 30, delivered at the works.

Q. What was the price of it at Port Carbon?

A. \$2 25, I think, or \$2 50.

Q. Then the toll was about \$2 08?

A. The tolls were \$1 85 or \$1 90—\$2 08 to Philadelphia.

Q. What effect have these suspensions on you?

A. The effect is of course to stop the works when we have no coal; we have lost \$12,000 or \$15,000 a year since that thing commenced; our business is in such a state that we cannot do anything; these strikes are entirely destructive to any kind of business.

Q. They make the manufacture of iron a very hazardous business?

A. Yes, sir; so much so that I don't think any one would go into it.

Q. Large capital is required to lay in a stock of coal, in order not to be compelled to blow out?

A. Yes, sir; we have to keep a large amount of coal, which is wasting all the time.

Q. Outside of the amount of money paid to the railroad company by the increase of tolls, this increase being rendered necessary by the decrease in the tonnage, what do you think of the policy of the railroad company?

A. I don't like it very well, but, at the same time, I cannot but say that they are perfectly justified in protecting themselves.

Q. It is a matter of self defence?

A. That is the way I look at it; I would rather, of course, that they would have arranged the matter in some other way; it has cost us some thousands a week; I say the railroad company is justified.

By Mr. Brockway.—Q. Have you ever complained of the rates of toll on the Reading road before this?

A. Many a time.

Q. What were they when you complained?

A. It was a matter of ten or fifteen cents that we complained of.

Q. Were they less than two cents per ton per mile?

A. Yes, sir; I think so.

Q. If you complained when they were less than that, haven't you reason to complain when they are more than six and a half cents?

A. Yes, sir, if we thought they were going to last.

Q. Have you any special assurance that they are not going to last?

A. No, sir; I don't think they will.

Q. What does a ton of coal cost you at the mines now?

A. We are paying \$4 00.

Q. What is the freight from the mines to your place now?

A. I don't know exactly; I think about \$5 50.

Q. The freight is \$1 50 more than the cost of the coal at the mines?

A. Yes, sir; the price varies.

Q. Did you ever hear the president of the Reading road say he had a method of stopping these strikes in the future by increasing the freights?

A. Never; I hope he may succeed in stopping them.

Samuel Lewis, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Are you engaged in the iron business?

A. Yes, sir, at the Allentown iron works.

Q. How many furnaces?

A. Four.

Q. Are they in blast now?



A. One of them.

Q. How much coal do you use in a year?

A. When the furnaces are all in operation 80,000 tons.

Q. What effect have these suspensions in the coal regions upon you?

A. We have to blow out some of our stacks.

Q. You have heard other gentlemen testify as to the effect of these suspensions; I suppose the same effect is produced upon your establishment?

A. Yes, sir.

Q. These suspensions require the expenditure of a large amount of capital, increasing the cost of iron?

A. Yes, sir.

Q. If a railroad company, as a matter of self-defence, puts up the toll on account of the decreased tonnage, what is your judgment as to that policy.

[Objected to. Objections sustained.]

Richard Sharpe, re-called by Mr. Lamberton.

Q. What is the actual cost of mining a ton of coal, and putting it on the car?

A. Fifty-five cents in the large vein was the basis price for the miner; that was when the vein was worked to the best advantage; the allowances and all the other labor would make it about 65 cents; then there are the supplies, feeding of mules, and many things, which I cannot name, which I would put at an average of 30 cents; then it costs a large amount of money to sink slopes; then there are expenses at Elizabethport.

Q. What does it foot up?

A. Within 5 cents of \$5.

Q. That is on the \$5 basis?

A. Yes, sir.

By Mr. Brockway.—Don't you pay more for mining your coal than most of the operators in your region, because your vein is smaller?

A. We do; the price I have given is for the small vein; we could not send coal to Elizabethport, and save ourselves, at \$5 a ton and pay the price we do; our trade is principally with the consumers, and, therefore, we save the 25 cents commission at Elizabethport.

Q. Is it the policy of the operators to work when coal is less than \$5 in New York?

A. It is, if we can sell it somewhere else.

Q. When coal is selling at Elizabethport for \$5, can you operate your mines at what you propose as a basis, at a profit?

A. It gives a very small profit to send it to Elizabethport.

Q. Is it not for your interest that the price of coal to consumers should increase?

A. No, sir.

Q. You don't want it to increase?

A. No, sir; we propose to have an equal price; fluctuations are very injurious to ourselves, the workmen and consumers.

Q. What figure would you put it at at Elizabethport?

A. We have no trade there, although our wages are based upon that price; we were selling to the furnaces at Mauch Chunk at \$3, at the time we stopped; at the terms we proposed it would leave us a bare working profit.

Q. Do not your veins pitch more than they do in Schuylkill and some parts of Luzerne, and is it not more expensive to mine them?

A. I think in Schuylkill many of them pitch more than ours; our heaviest pitch is about 30 or 35 degrees.



Robert H. Sayre re-called by Mr. Lamberton.

Q. In whose cars was the coal carried on your road?

A. The cars of the Lehigh Valley railroad company, and connecting companies.

Q. Not in the cars of the operators?

A. No, sir.

Q. You furnished the motive power, the roadway and the cars?

A. Yes, sir.

By Mr. Brockway.—Q. What dividend did you declare on your capital stock last year?

A. Ten per cent.

Q. Is that all your road earned?

A. There was a small balance over; I don't recollect what it was; our report will show it.

John Brisbin, being re-called by Mr. Lamberton, testified as follows:

Mr. Bound testified to a charge of twenty-five cents a ton for the transportation of limestone for a certain distance, which was apparently an over-charge; I was present at the time the bargain was made; the amount we had a right to charge was twenty cents a ton; it was agreed with Mr. M'Kelvey that we should have five cents a ton for switching and delivering it at his furnaces; he stated that it had cost him ten or fifteen cents a ton for doing it; and he would allow us five cents a ton for doing it.

By Mr. Brockway.—Q. Have you got the same agreement with Paxton's company, at Bloomsburg?

A. I made no bargain with them.

Q. Do you know what they charge them?

A. No, sir.

Q. Don't you know that they charged more for a ton of freight from Rupert to Bloomsburg than to Philadelphia?

A. I do not.

Q. Have you increased your capital stock?

A. We have increased from time to time as we have expended money for construction purposes; we have never issued a dollar of stock except for money expended for construction purposes.

[Paper shown witness.]

Q. That is a paper I have from the Auditor General's office—is that correct?

A. Any report we have made is correct.

The paper was read as follows:

DELAWARE, LACKAWANNA AND WESTERN RAILROAD COMPANY, )  
 GENERAL OFFICE, 26 EXCHANGE PLACE, )  
 NEW YORK, *May* 24, 1866. )

SIR:—In compliance with the request contained in your favor of the 27th March last, that I should make a report showing how and when the capital stock of this company was increased from \$5,185,200 to \$10,247,050, etc., I beg leave to state that the said increase of stock, amounting in the aggregate to \$5,061,850, was issued as follows:

July 20, 1863 .....	\$513,050
January 4, 1864 .....	1,134,350
April 13, 1864.....	300
June 6, 1864.....	50
November 3, 1864.....	3,414,100
	<hr/> \$5,061,850



That of this amount \$350 was issued for right of way, \$66,000 to take the place of the same amount of stock forfeited and surrendered, and \$1,482,500 in place of that amount of mortgage bonds taken up and cancelled, leaving \$3,513,000 as the amount issued to represent a like amount that had been expended for construction and in the purchase of additional lands and property; that the stock thus issued, with the exception of the \$350, (paid for right of way,) represents the earnings for the years 1863, 1864 and preceding years, and was distributed *pro rata* among the stockholders; that of the railroads operated and used by this company in the acquisition of said earnings, one hundred and twelve (112) miles are in the State of Pennsylvania, sixty-seven (67) miles are in the State of New Jersey, and one hundred and fifty (150) miles are in the State of New York.

Very respectfully,

A. J. ODELL, *Treasurer.*

*To the Honorable the Auditor General of Pennsylvania,  
Harrisburg, Pa.*

STATE OF NEW YORK, }  
County and City of New York. } ss:

Before me, a commissioner appointed by the Governor of the State of Pennsylvania, in and for the said city, personally appeared John Brisbin, president, and A. J. Odell, treasurer, of the Delaware, Lackawanna and Western railroad company, and in due form of law made oath, that the facts stated in the foregoing communication from said Odell to the Auditor General of the State of Pennsylvania, are true to the best of their knowledge and belief.

J. BRISBIN, *President.*  
A. J. ODELL, *Treasurer.*

Sworn and subscribed before me, }  
this 25th day of May, 1866. }

WM. WALTER PHELPS,  
*Commissioner for Pennsylvania, in New York.*

[Seal.]

[5 cents, U. S. revenue.]

AUDITOR GENERAL'S OFFICE, }  
HARRISBURG, March 24, 1871. }

I hereby certify that the within and foregoing is a true copy of the original remaining on file in this department.

Witness my hand and the seal of office, }  
the day and year aforesaid. }

J. F. HARTRANFT, *Auditor General.*

Witness.—These increases that have been reported to the Auditor General are correct; we never watered the stock.

Q. What dividend did you declare last year on your capital stock?

A. Ten per cent.

Q. You have not declared more than ten per cent. for five years?

A. We gave to the stockholders at one time a stock dividend; I don't recollect what the amount was; for many years we made no dividends.

Q. You did not declare a twenty per cent. dividend last year?

A. No, sir, nor the year before; I think one year we did declare a twenty per cent. dividend.

Q. Don't you own three-fourths of the mining operations around Scranton?



A. It is impossible for me to tell what proportion we own; we own a large amount of coal lands and a large number of collieries in the vicinity of Scranton; my impression is that we do not own three-fourths; I should think we owned a little more than half. I think we mine a little more than half of the coal we transport; the rest we purchase.

Adjourned until to-morrow afternoon at half-past two.

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HARRISBURG, *March 22, 1871.*

Committee met at half-past two P. M.

John Brisbin, re-called by Mr. Brockway.

Q. Does the statement made to the Auditor General by your company, in 1869, of the amount of anthracite coal shipped, include all the anthracite coal you shipped or only what was mined by your company?

A. I would not undertake to say without seeing the report.

Q. Was there not a three months' suspension in 1869?

A. There was a suspension but not for three months.

Q. Has not your company, in making this return for 1869, included all the anthracite coal they carried in the months named?

A. I presume so, unless there has been some error in their return.

Q. What is the average distance that you transport coal?

A. About two-thirds of the coal goes south from Scranton towards tidewater; about one-third goes north.

Q. You have a ninety foot grade?

A. No, sir; our maximum grade is assumed to be seventy-five feet to the mile.

Q. How many tons do you carry to a train on an average, say from Scranton to the Water Gap?

A. You could not make an average, because from Scranton for twenty miles we have a heavy grade, where we take about one hundred and fifty tons with one locomotive; for the balance of the distance we take about three hundred tons.

Q. You did not take into your account to the Auditor General the roads leased by you in New York and New Jersey?

A. I presume not; I cannot pretend to say how that report was made up, because for the past three or four years those reports have not come within my charge; when I made them up I reported only the business in Pennsylvania; they might include some business in the other States.

Q. What do you pay the Jersey Central for carrying coal in your cars?

A. Until the beginning of this year we paid them  $1\frac{5}{16}$  cents per ton per mile, in gold, and we paid also the expenses of brakemen, so that they furnish simply motive power and track; they never furnish any cars; we now pay  $1\frac{1}{4}$  cents per ton per mile in currency, when gold is not above 15; if gold goes above 15 then we pay such percentage upon the  $1\frac{1}{4}$  cents per mile as gold goes above 15.

Q. The roads have a basis then?

A. So far as gold is concerned.

By Mr. Hall.—Q. How did they come to make a reduction?

A. The rate of  $1\frac{5}{16}$  was fixed at a time when coal and everything was very high; it was during the war.

Q. When was this change made?

A. The change took place the 1st of July, 1870.

Q. When was the agreement made?



A. I cannot tell you positively.

By Mr. Brockway.—Q. What proportion of mileage is allowed in your report as being run by coal trains, as from Scranton to tide-water?

A. It is impossible for me to answer; the distances vary.

Q. Did you own the Syracuse road in 1869?

A. No, sir; but we have had a trackage contract with them for many years, and the mileage of our coal trains, I think, is in that report; we sent, I think, about two-thirds of the coal south.

Q. What is the effect of the raise of coal rates on your road upon small operators?

A. It has no effect at all that I am aware of?

Q. Can you not more successfully compete than the small operators, owning, as you do, more than half the mining operations in that valley, and owning the road?

A. That depends entirely upon the freights that we should charge; we keep our accounts as between the transportation department and the coal department, as if we were dealing with an outside party; the coal department as a general rule has fallen in debt.

By Mr. Hall.—Q. Would it not have fallen in debt a great deal more if you made them pay four cents a mile?

A. Yes, sir; in regard to the individual operators I may state that there are at Scranton two parties, who have been in the habit for years of mining coal for domestic purposes there; they are the only parties that have continued to mine coal since the strike, or who have wanted any coal transported, and none of the parties from whom we purchased coal have been mining or asked for any transportation during this strike; these others are little one horse concerns.

Q. Do you call George Coray's establishment a little concern?

A. No, but they have not been at work during the strike, or offering us any transportation.

Q. Can they work and compete successfully with you with rates at four cents per mile?

A. Of course not; nobody can pay four cents per ton per mile; we never thought of charging it when anybody was shipping coal.

Q. What is your object in making the charge?

A. It is simply this; we let Mr. Tripp go into one of our collieries in order to get out coal to relieve the pressure for domestic purposes along our line; our superintendent at Scranton said they wanted to ship some coal, and advised the president that they could work at five cents a ton; the president sent word to charge four cents a ton.

Q. The charge of four cents a ton would be really prohibitory as to doing business?

A. It would be really prohibitory as a through rate at ordinary times; we never had any such rates except what I stated—to local points.

By Mr. Brockway.—Q. Is not the tendency of the increase of tolls to throw the small operators into the hands of the company?

A. The increase of tolls since the strike has had no such effect whatever, because nobody has offered to work except those I have named, or indicated to us that they wanted to work.

Q. You do not care about their working do you?

A. We don't care, so far as we are concerned, whether anybody is working, and we don't propose to work until this question is settled upon a basis that we regard as just.

Q. You don't care whether the others work or not?

A. No, sir.



Q. Does not your charter restrict you to 2,000 acres of coal land?

A. We have a right, originally, to hold 2,000 acres of coal lands; then by virtue of an act of Assembly we came possessed of the right to merge what was known as the Keyser Valley company into our company; that company had the right to hold 3,000 acres of coal lands; then by virtue of subsequent legislation we became possessed of the right to merge into our company any coal or iron company, or any company having mining rights; by virtue of that legislation we merged into our company other companies which, in the aggregate, possessed the right to possess 15,000 acres; hence it is that the right inheres in us to hold about 15,000 acres of coal lands.

Q. This right will appear on the face of the statutes that you are going to give me a memorandum of?

A. I can give you those; all those are found in the office of the Secretary of State.

Q. Have you shipped other coal than that mined by yourselves at a greater rate than two cents per ton per mile, which you have purchased from other parties—from Scranton to Elizabethport?

A. That which we purchase from other parties we treat as our own coal; we buy it in the cars.

Question repeated.

A. We never did until we were relieved from that prohibition; so long as that prohibition was in existence we did not charge more than two cents per ton per mile for the transportation of anthracite coal southward from Scranton, unless we got more than that by virtue of a sliding scale contract.

Q. I ask whether you have done so within the last five years?

A. If we transported coal, other than under the sliding scale, we did not charge more than two cents per ton per mile for motive power and roadway.

Q. Have you from 1865 to the present time?

A. I guess after that prohibition was repealed we may have charged more; I will not say positively; I know we had certain contracts for transporting at a fixed rate, and at another time at a sliding scale; I think in some instances we charged more than two cents per ton per mile after the prohibition was taken off.

Q. In increasing your capital stock, was it done by the earnings of the road?

A. Sometimes we did; sometimes the earnings of the road represented it and sometimes they did not.

Q. How much of your stock has been increased by the earnings of your road?

A. I cannot tell.

Q. Can you furnish us with a statement of it?

A. I presume that the treasurer can give you a statement of the whole thing from the books.

Q. All the money that you made upon your road above the dividends did you put into the stock of your road or not?

A. Not always.

Q. Did you at any time?

A. Yes, sir; at different times.

Q. When?

A. Whenever we increased the capital stock we usually increased it pretty nearly up to the amount that we had expended for construction purposes.

Q. Was that amount that you expended for construction purposes the earnings of the road?



A. Not always ; sometimes we expended more for construction purposes than we earned.

Q. In the last five years how much was the increase ?

A. I would not undertake to state ; the treasurer can tell you all about it.

Q. What was the capital stock five years ago ?

A. I won't undertake to state without the papers ; whatever is stated in the railroad report is correct ; if I take the report I will swear from the report and not from my own knowledge. [Looking at report.] The report states that in 1869 the capital stock was \$14,100,600.

Q. What was it the next year—1870 ?

A. The next report shows \$18,808,850.

Q. Does the Auditor General's report show correctly the other years ?

A. I presume so ; they are all sworn to—some of them by me.

Q. There is an increase of nearly \$5,000,000—how was that increase made ?

A. It was made by the issue of stock to represent money that had been expended for construction purposes.

Q. And where did that money come from, for construction purposes ?

A. A portion of it was from earnings and a portion of it came from stock, issued and allotted to the stockholders at par, in order to raise the money ; that is my recollection.

Q. What proportion from earnings and what proportion from stock ?

A. I cannot state.

Q. How far back did that go for the earnings ?

A. I could not say ; several years ; perhaps three or four.

Q. The earnings then distributed ran back several years ?

A. Yes, sir.

Q. What was the stock of the road selling for at the time these stockholders got this stock at par ?

A. Well, our stock for some years past has been vibrating between 103 and 110 ; par is 100.

Q. Did the stockholders get this stock at par in virtue of their being stockholders ?

A. Yes, sir ; it was offered to all the stockholders *pro rata*.

Q. The property was increased in value by the construction ?

A. Yes, sir.

Q. They got their increase of that value in future dividends ?

A. As stockholders, of course whatever benefits were put upon the road inured to the benefit of the stockholders.

Q. The old stockholders are the men who enjoy these privileges ?

A. The old and the new, too.

Q. Were there any new ?

A. Oh, yes, our stock changes hands.

Q. Did any man take that stock unless he had stock at that time ?

A. No, sir ; of course he could not have it.

By Mr. Brockway.—Q. If the individual operators will pay two cents per ton per mile can they mine coal and sell it at Elizabethport, at an average of \$4 15, without actual loss ?

A. That depends upon the price they pay the miners.

By Mr. Hall.—Q. Suppose they paid the miners at just the lowest wages you ever heard of ?

A. Then they could ship coal and make money.

Q. Could they at four cents a ton per mile ?

A. Of course not.



Q. Was the average of your sales for the last three months over \$4 15?

A. I cannot tell you; at our last auction sale it was \$3 98.

Q. Was it not impossible for individual operators to compete with your sales without losing money?

A. That would depend upon what they paid for transportation; nobody has asked us to ship; we would be glad to have a tonnage for a less price.

By Mr. Lamberton.—Q. You have stated that four cents per mile would be prohibitory at the ordinary prices of coal; is it prohibitory, or was there any coal to be shipped to get those rates?

A. All the coal that is mined in the vicinity of Scranton that is wanted to be sent over our roads is sent, and the parties are making a great deal of money out of it.

Q. Then it is not prohibitory?

A. Not at the present rates of coal.

Q. Can you state now for how many years you have been paying ten per cent.?

A. I would not state positively, but my recollection would be since 1861, with the exception of one year; we paid ten per cent., but not always in cash; sometimes in the stock of other corporations which we held; I don't think that, prior to 1861, we paid our stockholders any dividend at all; all profits went into construction.

By Mr. Brockway.—Q. Do you know what the present average of the price of coal is at Elizabethport?

A. I could not state definitely; I reckon it is worth \$9 00 a ton.

Q. You do not say that at the present prices of coal and paying the present rates of freight, the operator could make money?

A. Yes, sir; I speak of shipping to the different points along the line; nobody has shipped to Elizabethport; if the rate was anything else, there would not be a pound shipped that is not shipped now; we are taking all the coal the miners produce; the miners say they won't go to work unless we pay them their price.

Q. Don't you know that your company refused to take cars from Shamokin to Northumberland?

A. I guess we have no road from Shamokin to Northumberland?

Q. In order to ship to certain places they have to ship over your road, but you won't take any cars—is it not so?

A. I don't know of any such thing; I never heard of it before.

Thomas Waddell, re-called by Mr. Lamberton.

The following paper was shown witness:

*Basis of agreement between Mr. Tompkins and the miners and laborers of his collieries, in district No. 1, Pittston.*

We hereby agree that the prices for mining coal from the 12th day of the month of July, 1869, shall be one-eighth, or  $12\frac{1}{2}$  per cent., of the average wholesale or cargo prices of coal per ton, in the markets of Elizabethport or Hoboken, for mining top and bottom coal of the large veins, and mode of working, to be paid in the same proportion as before; advances and reductions at the same rate, to be given at every period of 50 cents. Be it understood that the minimum price for mining is to be the rate at \$5 in the market.

(Signed)

(Signed)

A. TOMPKINS,

*In behalf of the operators.*

H. W. EVANS,

ROBERT ANDERSON,

*In behalf of the miners.*



By Mr. Lamberton.—Q. Was the agreement you made with your men similar to that?

A. Yes, sir; as near as I can recollect.

By Mr. Brockway.—Q. What was the agreement you made with your men in 1869?

A. When coal was \$5 00 at Elizabethport I was to pay them 62½ cents.

Q. What was the thickness of the vein you worked?

A. From ten to twelve feet.

Q. How many tons a day is the work of two men?

A. Ten (10) tons.

Q. How many cars could they load in a day?

A. Four (4) cars.

Q. If a car comes up under weight it is docked?

A. Yes, sir.

Q. How much is lost per day?

A. I could not tell you; no good miner need lose anything; we don't pay for dirt.

Q. Ten tons would be \$6 75 per day?

A. Yes, sir.

Q. One-third of that would be \$2 25?

A. Yes, sir.

Q. That is the price your men worked on basis?

A. Yes, sir; we have nothing to do with the laborer.

Q. Do you consider that the amount of labor done by two men in a chamber worth what they get?

A. Yes, sir; I am satisfied or I would not pay it.

Q. Do you consider that there was anything unreasonable in the last agreement you had?

A. No, sir.

Q. Was there any trouble between you and your men?

A. No, sir; all I know about it is that the General Council told them to strike on the 10th of January.

Q. You don't think that the price of freights had anything to do with it?

A. No, sir.

Q. Were they not prepared to go to work on the 15th of February?

A. They told me so.

By Mr. Lamberton.—Q. Why didn't they?

A. I could not work.

Q. Why?

A. Because I could not pay the prices they wanted; I had made contracts; I would have lost on every ton.

By Mr. Hall.—Q. What would it cost you to get a ton of coal from there to New York?

A. I don't know; from Penn Haven to Elizabethport it was \$4 88.

Q. Had those rates anything to do with your inability to deliver coal?

A. No, sir.

Q. Would they if they had been twice as high?

A. No, sir.

Q. Where had you been shipping coal to when you did ship?

A. From Pittston to Baltimore and Buffalo.

Q. What did you pay from Pittston to Baltimore?

A. I think \$2 80 by canal.

Q. What did you pay by railroad?

A. I have not shipped.



Q. What would it cost you now to ship by railroad?

A. I don't know.

Q. How far is it from where you ship to Baltimore?

A. About two hundred miles.

By Mr. Brockway.—Do you think \$5 a day is too much for a good miner?

A. I think it is greater than the coal trade can stand.

By Mr. Lamberton.—Q. You know no other reason why the men stopped than that an order was issued by the General Council to stop work?

A. I know of nothing else.

Q. When you were told that the tolls had been put up on the Lehigh Valley railroad or Pennsylvania and New York canal, did you want to send any coal to market?

A. When the notice came out that the men were to resume work on the 15th of February, in looking over the markets I could see that we could not work; I went to the Lehigh Valley office and saw the tolls, and thought it was perfectly right; I thought it would bring the men and operators to a better understanding, and ultimately result better for us.

Q. The increase of tolls had nothing to do with your shipping?

A. No, sir; if the canal opens to-morrow I cannot start, because I cannot pay the miners the prices they want for a basis.

By Mr. Hall.—Q. What was the basis on which the miners had agreed to resume on the 15th?

A. I do not know; they never told me.

Q. Were you by that agreement to stop if coal went below \$5 00?

A. No, sir; I lost on the coal I shipped in January.

Q. If there was a bargain with the miners, under which they suspended work, and they afterwards agreed to go to work without any new contract, would they not have worked under the old contract with you?

A. We have a contract between us to this day; they stopped on the old contract.

Q. If the miners had gone to work on the 15th of February would they not have gone to work under the old contract?

A. They would have done it; I could not work under it.

By Mr. Lamberton.—Q. You stated whilst that contract was in force they did stop?

A. Yes, sir.

John Siney, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Where do you live?

A. St. Clair, Schuylkill county.

Q. What position do you hold in the W. B. A.?

A. President of Schuylkill county.

Q. Who has custody of the books and papers belonging to the district of which you are president?

A. I do not preside over that district; I preside over the executive board of the county.

Q. Who has the minutes and resolutions of the executive board of the county?

A. The secretary.

Q. Who is the secretary?

A. Mr. Corbit.

Q. Has he been in attendance before this committee?

A. Yes, sir; he is here now.



Q. Do you know whether he has any of the books or papers along with him?

A. I believe he has got the minutes.

Q. Have you any official organ of the W. B. A. in Schuylkill county—any newspaper?

A. No, sir; it is not owned by the W. B. A.

Q. I did not ask you that; I asked you if that association had an organ; an official newspaper?

A. I scarcely know how to answer that question; the paper is owned by a company, operated under a charter separate and distinct from the charter under which our protective association conducts its business.

Q. You can answer yes or no; is the *Anthracite Monitor* recognized by you, as the president of the executive board, and by your fellow members of the association, as the organ of the association?

A. It is recognized so far as sending the proceedings are concerned; I don't wish the committee to understand because the minutes of meetings are sent there that that paper has any connection whatever with the W. B. A.; I don't wish any advantage taken of that paper; I make this statement in order to relieve any person connected with that paper of any responsibility.

Q. The proceedings of the W. B. A., as published in that paper, are treated and recognized by the association as authentic?

A. That is a question I cannot swear to.

By Mr. Davis.—Q. Whenever you publish your proceedings do you publish them in that paper?

A. Yes, sir; in that and others.

By Mr. Hall.—Q. That is not official more than any other?

A. We often send our proceedings to various papers.

By Mr. Davis.—Q. Your proceedings that are published, are they not published in that paper?

A. Yes, sir; there is scarcely any proceedings published in any other papers except what are published in that.

By Mr. Lamberton.—Q. Are the proceedings sent to the *Anthracite Monitor*?

A. Yes, sir; I believe they are; but I never sent the minutes, and for that reason I would not wish to swear.

[*Anthracite Monitor*, of February 11, 1871, shown witness.]

Q. Look at those proceedings and state whether you have any personal knowledge, as president of the association, of the proceedings there spoken of?

A. Yes, sir; I see my name appearing here; I was there.

Q. Then you have personal knowledge of the proceedings?

A. I was there at the meeting; whether those proceedings are correct I don't know.

Q. Look at the question of resumption of work, marked in blue lines, and state whether you were present at those proceedings, and if they were actually had?

[Witness looks at paper.]

A. Yes, sir, I believe so; I believe, to the best of my knowledge, that those proceedings were actually had at a meeting of the association when I was present.

Mr. Lamberton.—I now offer in evidence that part of the proceedings as to the question of resumption of work.

The proceedings were read as follows:

“The question of resumption of work was then brought up. After considerable discussion, several motions and amendments being offered and



withdrawn, it was decided, on motion of W. H. Williams, that all the counties shall resume work on the fifteenth (15) of February, 1871. The yeas and nays were called for, and were as follows:

“YEAS—Athey, Brennan, Barnes, Delaney, Davis, Corbett, J. N. Evans, Foley, Harvey, Kene, Bealey, Lloyd, M’Laughlin, Morgan, M’Grath, Miles, Mullery, O’Halloran, Ryan, Reese, Siney, Sullivan, Watters, W. H. Williams, John T. Williams, Hewlett—26.

“NAYS—Aubrey, Boland, Hughes, Quigley, Wright—5.

“On motion, resolved, that the proceedings of this council shall not be made public until the issue of the *Monitor* of the 11th of February, 1871.”

[*Anthracite Monitor*, dated January 28, 1871, shown witness.]

Q. Look at these minutes of the delegate meeting and see what is there marked, and say whether it is correct?

A. Yes, sir; I believe this is correct.

Mr. Lamberton read the twelfth resolution from the proceedings of January 27th, as follows:

“12. That we, the workingmen of Schuylkill county, do strictly adhere to the \$3 basis, so long as Luzerne and Carbon work with us in good faith; if Luzerne and Carbon men do not work with us in good faith that we then make such agreement as will be best for our own welfare.”

Witness.—I don’t wish to be misunderstood; I find the minutes of this meeting purporting to be on the 27th day of January, and the paper was published on the 28th, and I know that the forms of the paper are generally locked up on the 27th.

[*Anthracite Monitor*, dated December 24, 1870, shown witness.]

Q. Is that correct?

A. Yes, sir; I believe so.

Mr. Lamberton read the following extract:

“The time having arrived when the vote on suspension was called for, Mr. John Lloyd moved that we suspend on the 10th day of January next. John Foley then offered an amendment, that the suspension take place on the 1st day of February. The yeas and nays being called for, the following was the result:

“FOR THE AMENDMENT.—Siney, Reynolds, M’Laughlin, Wheighman, Ryan, Foley, Wright, John N. Evans and James Keely.

“AGAINST THE AMENDMENT.—Miles, Quigley, Lloyd, O’Hallaran, Finerty, Harvey, Davis, Reese, Williams, Evans, Burk, M’Donough, Barnes, Mullery, Hewlet, John T. Williams, Brennan.

“The amendment having been lost, the original motion was then put and carried by the same vote. It was, therefore, decided that a general suspension should take place on the 10th day of January next.

“The question of what kind of work at the mines would be considered judicious to be done during the suspension.

“On the motion of John Foley, it was agreed that all timbering and repairing, all slopes now in the act of sinking, second openings and rock tunnels, may be driven, provided, that any coal cut in doing so, shall not be run through the breaker or shipped to market.”

Q. John Wright, whose name is mentioned here as voting and taking part in these proceedings, is he here?

A. Yes, sir

Q. What position does he hold in the W. B. A.?

A. I do not know that he holds any position.

Q. Where does he live?



A. Some part of Luzerne county ; I met him in the council.

[*Anthracite Monitor*, dated March 4, 1871, containing proceedings of session of March 2d, shown witness, an extract read as follows :]

“Moved by John Wright, and seconded by Luke Brennan, that this association will not recognize the question of tolls in connection with the making up of the percentage to be paid on labor. Not agreed to.

“Moved by Peter Quigley, and seconded by John Lloyd, that this association still adheres to the basis of '69, and will not recognize the interference, in any form, of the railroads and carrying companies.

“The motion was amended by William Watters, amendment seconded by A. Reese, that Schuylkill region be permitted to slide down to \$2 50 per ton, but no lower. After considerable discussion, the vote being called for, the amendment was lost, and the original motion was agreed to.”

Q. Was there any difficulty between you and the operators in the Schuylkill region as to the basis or prices of wages at the time of the suspension?

A. We never have had any agreement with our operators.

Q. Was there any difficulty between you and the operators as to the wages that should be paid?

A. I do not want to evade the question ; from the termination of the Gowen compromise to the present there has never been any arrangement made, only for the few days that we worked in January ; when we went into the Gowen compromise, the men worked on to the end of 1870 on that agreement ; from the expiration of 1870 to the present time there has been no arrangement entered into between the employers and employees, except for a few days in January.

Q. State what was the reason of the suspension of work in the Schuylkill region on the 10th of January, 1871?

A. Because the men knew that if they did not suspend they would only be paid on the basis of \$2 50 ; if they suspended and Carbon and Luzerne suspended, they would be paid on a basis of \$3 00.

Q. When was the order issued by your General Council as to the suspension in the Schuylkill region?

A. It appears on the paper ; I have already acknowledged that.

Q. That was the order under which you suspended?

A. Yes, sir ; but you must understand that the representatives of Schuylkill voted against that suspension.

Q. And yet you were dictated to when there was no difficulty about wages by a General Council—you surrendered your right to work to a General Council?

A. That is the way we differ.

Q. Is it not a fact that there was no difficulty between the men and the operators of Schuylkill county at the time the General Council issued that edict requiring you stop work?

A. There was no difficulty likely to occur until the end of the year.

Q. Could you not have gone on at the wages you had been receiving so as to keep yourselves and families if this order had not been issued?

A. No, sir, I don't think we could.

Q. Are you a practical miner yourself?

A. When I work I work at mining.

Q. When you don't work what do you do?

A. Go loafing around.

Q. Are you paid by the W. B. A.?

A. Yes, sir.

Q. How much do you receive?



A. \$1,500 a year, and pay out of that all my expenses incurred within the county.

Q. Then it does not make any difference with you whether the miners are at work or not—you draw your salary?

A. Sometimes I do, and sometimes I don't.

Q. When do you, and when don't you?

A. I have drawn nothing since the suspension.

Q. Is the association indebted to you for your salary from that time?

A. I presume so.

Q. When did you work as a practical miner last?

A. Two years ago some time in April.

Q. How long has your salary been running, at \$1,500 a year, as president of Schuylkill?

A. Nearly that length of time.

Q. Did you stop work as a practical miner for the purpose of attending to the duties of president of that district?

A. Yes, sir.

Q. What are your duties for which you draw \$1,500 a year?

A. To attend to the general interests of the association.

Q. Tell us what they are?

A. The real interests of the association is a matter of a difference of opinion.

Q. I am not asking what the difference of opinion is, but what you are paid for doing?

A. To try to prevent the men being taken advantage of by any body if I can.

Q. That is your duty?

A. Yes, sir.

Q. What have you done in pursuance of this arrangement?

A. I have tried, as far as in my power, to prevent isolated strikes and get the members to understand their true interests to the best of my belief.

Q. When you speak of isolated strikes do you mean in order that you may promote general ones?

A. No, sir; when a strike has taken place it was often that the men had not courage to tell the employers what they wanted, and went home for weeks, and often had to go to work at reductions.

Q. How many isolated strikes did you prevent in 1870, for which you were paid your salary?

A. I have not kept an account of them.

Q. Tell us something else that you have done for your \$1,500?

A. I have attended to their business—such business as I have been instructed to attend to.

Q. What is that business?

A. Well, I have, as often as time would permit, gone around amongst the men and exchanged views with them, and attended to general business of that description.

Q. That is the best definition of your duties that you can give us?

A. Yes, sir.

Q. And for that they pay you \$1,500 a year.

A. Yes, sir.

Q. Are there many persons that occupy that position in the W. B. A., drawing the same salaries—is there one for every county?

A. Not that I am aware of.

Q. Is there anybody else in Schuylkill paid a salary?

A. I believe the secretaries are paid \$100 a year.



Q. Do the presidents of the branches get nothing?

A. I do not know anything about that.

Q. How often do you meet the executive board?

A. Sometimes we meet monthly; sometimes oftener; sometimes not so often.

Q. Of whom is that executive board composed?

A. One man from each district—the choice of the people.

Q. How many districts are there in Schuylkill county?

A. I believe there are nineteen.

Q. Do you know whether any of that executive board are paid?

A. For what work they loose they are paid.

Q. Whilst they are absent in attendance upon these boards they are paid out of the funds of the association?

A. Yes, sir.

Q. How much do they receive?

A. I cannot tell you; I believe four dollars per day.

Q. That four dollars is considered equivalent to what he would make if at work?

A. No, sir; it is not considered an equivalent, and it is taken for granted that a man cannot go away from his work and attend to business without spending money.

Q. Is he paid mileage?

A. He is paid railway expenses.

Q. In Schuylkill county, to your personal knowledge, was not the suspension ordered, in order to advance the price of coal, and to sustain the strike in the Luzerne district?

A. I say nothing of the sort, from my personal knowledge; the suspension was ordered with the expectation that the men would get an advance on their labor.

Q. Didn't you state before this committee that the strike was for the purpose of keeping up the price of coal?

A. I don't know what I said before this committee; I was not on oath that night and I was taken by surprise; I could not recollect now what I said; I don't say that I did not say so.

Q. Was it not for the purpose of sustaining the miners in the Luzerne region who were then on a strike?

A. Not to sustain them alone.

Q. Was that not one of the reasons?

A. The real cause of our men quitting work was simply because there had been no arrangement made.

Q. Was it not for the purpose of sustaining the men in the Luzerne region?

A. It was to sustain ourselves as well as them.

Q. You had not then struck?

A. No, sir.

Q. Was not one of the reasons first, to put up or keep up the price of coal, and secondly to sustain the men in Luzerne region?

A. It was to sustain labor.

Q. Answer the question?

A. I do not know as it was my particular business to have coal go up as long as we got the advance.

Q. Can't you answer a plain question?

A. I have answered the question; I say the object that our men had in view when they quit work was the expectation of getting an advance on their labor.



Q. Was not the reason that induced you to suspend the fact that there was a suspension in the Luzerne region, and also to put up the price of coal.

A. From the mode in which we had been working heretofore we were satisfied that coal would have to advance before the men would have got much of an advance; we knew when coal went up we would get an advance.

Q. Didn't you strike for the purpose of putting up the price of coal and to sustain the men in the Luzerne region?

A. That is a question I would not wish to answer directly; I have explained it.

Q. Do you say no?

A. I might say yes, and then explain; we knew that if coal did not advance we could not have got much of an advance above the present prices, and we contended and contend yet that they are below living prices.

Q. Would you have struck if the men in the Luzerne region had been at work?

A. No, sir; not on our own account.

Q. Were you not over-ruled in your General Council by the vote of the Luzerne men, and don't your proceedings show it?

A. The vote of the Luzerne men carried that council, but the votes of that council did not pledge the action of the men of our county.

Q. Were you not out voted?

A. Yes, sir; I voted in the negative.

Q. Were you instructed to vote against the suspension?

A. I had no instructions at all.

Q. What is the highest branch of your organization?

A. The General Council.

Q. That rules over what extent of territory or what number of men?

A. I could not give the numbers correctly; each county sends a representative to the General Council for every 1,000 members; there were 31 members of the council when all the representatives were there.

Q. The strike was ordered by the men composing the General Council, against the wishes of the Schuylkill men?

A. Yes, sir; against the wishes of the Schuylkill men at that meeting.

Q. Do you know of any suspension that was ordered by the General Council that was not for the purpose of putting up the price of coal?

A. Yes, sir; I believe I do.

Q. How many suspensions were ordered for some other purpose?

A. There were none of them for that special purpose; all of them had the avowed object of depleting the market of what was then in it.

By Mr. Hall.—Q. Are you the chief officer of this organization in Schuylkill county?

A. Presiding officer.

Q. It is a regular incorporated organization?

A. Yes, sir.

Q. And you performed the duties that pertained to your office under your charter and by-laws?

A. To the best of my ability.

Q. What those duties are are matters entirely between your employers and yourself?

A. Yes, sir.

Q. Have there been complaints by your employers that you don't do the business satisfactorily?

A. Not generally.

Q. You have been attending to the general interests of the association?



A. Yes, sir.

Q. And you have been trying to prevent any advantage being taken of the men by railroad companies or monopolists of any kind?

A. Yes, sir.

Q. You have prevented isolated strikes?

A. Yes, sir.

Q. What fixes the basis for the miner in Schuylkill is the price that coal brings at Port Carbon?

A. Yes, sir.

Q. That is 93 miles from Philadelphia?

A. Yes, sir.

Q. If coal should get so low at Port Carbon that the wages of the workmen would go down to \$7 a week, and the miner had a family, would that be a living price?

A. I should think not.

Q. Has that often been the case with outside laborers?

A. No, sir; not since the war.

Q. At any time?

A. Yes, sir; before the war.

Q. What would the wages of an outside laborer be at the basis of \$2 25 at Port Carbon?

A. About \$8 28. *(weekly)*

Q. Would that be living wages for a man with a family of five children?

A. No, sir; not in my judgment.

Q. If you and the miners of that region ever did induce a strike was it in order to make your wages better?

A. That was the general object.

Q. Did it make one particle difference to you what coal brought at Port Carbon or Philadelphia if you got living wages?

A. No, sir.

Q. Then you were forced to get living prices in order to get living wages?

A. That is the idea.

Q. This basis fixed for you at Port Carbon or Elizabethport were wages fixed by the operators?

A. Yes, sir.

Q. Then they were submitted to you, and you either accepted or declined?

A. We always accepted.

Q. Except when you struck?

A. Yes, sir.

Q. The only evidence you had that you did not accept was the strike?

A. Yes, sir.

Q. I call your attention to the paper introduced by the president of the Reading railroad; this paper is headed "proposition for adjusting wages for 1871;" Mr. Cole swore that you told him at Mr. Kendrick's office, in Pottsville, that the miners in the Schuylkill region had accepted this proposition—is that true?

A. To my knowledge I never told that to mortal being.

Q. Did they accept?

A. Not to my knowledge.

Q. Did you ever tell Mr. Cole so?

A. Not to my knowledge.

Q. Is not the whole object of your organization laid down in its charter, enacted in your by-laws, and is not the work of your every day live to



protect the wages of labor and to give your men living wages, according to the best of your judgment?

A. I believe that is the object of the men.

Q. Is that not the sole and only purpose of your organization?

A. I have never read the charter closely.

Q. Well then the by-laws?

A. Yes, sir.

Q. Was there ever anything done by the different organizations of which you are the head, in Schuylkill county, on which they took action, except the proposition talked of by Mr. Gowen, and which is in this paper?

A. Not to my knowledge.

Q. What was the condition of affairs in the mining region prior to the time you started this organization—was it not absolutely necessary that the workmen should band together to protect themselves?

A. We banded together to prevent these isolated strikes and protect ourselves.

Q. Were their bad men in the districts, who interfered with the mining of coal and the prosperity of the country?

A. There were a good many bad things done?

Q. Has your association tried to prevent these bad things?

A. Yes, sir; always.

Q. Since you started your organization have the men had greater liberties as to purchasing articles of food, &c.?

A. Co-operative stores were not started before; those have been of service to the laborers.

Q. State how this price of coal is regulated—who do you make the bargain with?

A. The Anthracite Board of Trade.

Q. Has the Reading company or any road any thing to do with you?

A. The Reading road has never been called in directly.

Q. Are they a party to the contract in any way?

A. No.

Q. Did they ever sign a contract with you of any kind?

A. No, sir.

Q. Was there a time a year ago that Mr. Gowen undertook to do this same thing?

A. Yes, sir.

Q. How much did he put up the tolls then?

A. I forget—pretty high.

Q. Was it not \$1 25 a ton?

A. I don't know.

Q. When was it that he did this?

A. The latter end of March or beginning of April, 1870.

Q. This *Monitor* is taken and circulated generally throughout the mining regions?

A. Yes, sir.

Q. In that respect it is called a miner's paper?

A. Yes, sir.

Henry L. Cake, called by Mr. Hall, being duly sworn, testified as follows:

Direct examination by Mr. Hall.—Q. Please state where you reside and what your business is?

A. I live in Philadelphia; I am president of the Philadelphia and Alaska



coal companies; I have an interest in four collieries—three in the Shenandoah valley and one in Tamaqua.

[Mr. Hall stated that Mr. Cake had prepared a written statement, which he proposed to have him read.]

Witness—When first subpoenaed I came here and had an interview with the chairman of the committee, and asked him what the range of this investigation was to be, and told him I would rather prepare a statement, of which I would keep a copy, because, standing as I do, it might seem singular that I occupy this position. I have consulted my partner in business, and we understand the position this places me in, and the threats that have been made that I am to be driven out of the coal business. In making my statement of course I know the risk I run. I have here the pay-roll of our No. 1 colliery, from May until December, last year, which I propose to leave in the hands of the committee. Here is a statement, made by one of our clerks, showing the highest amount of money made by any set of men.

Q. Is that correct?

A. It is correct according to our books, and we paid according to our books; this shows the amount of coal we shipped and the number of men employed at this colliery, and every dollar paid to those men.

[Offered in evidence; marked "pay-roll Colorado colliery."]

[Witness commenced to read statement.]

Mr. Lamberton objected to any written statement which he had not seen and to witness giving his thoughts and ideas; the witness must give facts and speak from memory.

Mr. Hall.—These are facts, written down, and the witness will swear that they are facts.

The committee decided that witness should make an oral statement and not read from manuscripts.

By Mr. Hall.—Q. What is that book you have before you?

A. This is the pay-roll book for the No. 1 colliery, running from May to December.

Q. Does that show all that you have paid during a given time?

A. Yes, sir; it gives the names of all except the workmen who worked for the various contractors, who hired and paid their own men; of course, their names did not get upon our book; it gives the names of nearly five hundred men.

Q. How long have you been in the coal trade?

A. I have had to do with the coal business certainly twelve years; indirectly I have been in the business longer than that.

Q. Have strikes been frequent during that time?

A. Very.

Q. Is your coal company in any conflict with the workingmen?

A. It is not.

Q. Is the present stoppage more complete than ever before, and was not the cause of it accident?

A. I believe the stoppage is more complete than any other we have ever been subjected to; it was, in a measure, the cause of accident; coal ruled very low towards the latter part of last year, and was so low at the sale of the Scranton companies, in November, that it was thought by those companies best to put their wages down to a very low figure, even if it brought on a stoppage of the men. The prices were ruling so low for Schuylkill coal that, if it had not been for the stoppage of the Scranton region, the Schuylkill region would have gone out in a very few days, but by that stoppage Schuylkill county was enabled to go on, and many collieries that were thrown idle because of the want of a market in the latter



part of last year were enabled to resume work, and worked until the 10th of January; on the 10th of January nearly all the laborers—all that belonged to the W. B. A.—stopped work, in accordance with the agreement with the Scranton men; I believe that to be the fact; the whole region was practically idle from the 10th of January until the 15th of February, when the men proposed to resume work; at that time they were met by a combination of coal operators and carrying companies to prevent their going to work until they agreed to certain propositions submitted to them.

By Mr. Lamberton.—Q. You are speaking from your own personal knowledge?

A. It is from my experience.

Q. We want what you know?

A. According to my knowledge and belief; it was told to me by coal operators and by presidents of various railroads; I don't belong to the Scallawag Coal Operators' Beneficial Association, or anything of that kind. They made a proposition to the miners that I have understood they did not accept.

The Chairman.—What the witness heard from other people is not evidence.

By Mr. Hall.—Q. Were you told this by any men who were members of the Anthracite Board of Trade, or by any of the carrying companies that carry coal from the mines to the market?

A. I cannot recollect any particular individual who gave me this information.

Q. Were you told it by any of the carriers of coal to market, or by any members of the Anthracite Board of Trade?

A. I was told about all that occurred by Mr. Benjamin Thomas, who is a coal operator, but I don't know whether he belongs to the Anthracite Board of Trade or not; he has an interest in a mine in the anthracite region; I was told by a great many other gentlemen.

Q. You were also told it by others of the operators and carrying companies?

A. I was; I recollect one conversation I had with Mr. Borda.

Q. What did Mr. Borda tell you?

A. Just before the arrangement was made I met Mr. Borda in New York, and he said that that would be the course—that the carrying companies and operators would combine and have a stand-out against the men; and that, for the benefit of such operators as worked, the companies would put up such fancy rates of toll that it would tax them out, or words to that effect.

Q. Where was this?

A. In New York.

Q. When, as near as you can recollect?

A. I would not like to say when.

Q. What month?

A. The latter part of January or early in February.

Q. What caused the last strike in the Schuylkill region?

A. It is very difficult to frame answers in that way; I only know from the effect and public rumor, and from conversations with railroad men and workingmen at the time; it was an agreement among the men that all the regions should stop on the 10th of January.

Q. What caused that?

A. The primary cause was the low price of coal the latter part of last year; as a result, the decline in wages offered by the great companies in Scranton, and the combination of the workingmen to resist that.



Q. To resist the low wages?

A. Yes, sir.

Q. Had there been a strike before that, which was caused by the Anthracite Board of Trade?

A. On the first of April last the coal operators combined to get up a new deal with the men in Schuylkill county, and in order to compel the men to submit, they stopped work on the first of April; some of that difficulty was caused by a decline in the wages of the Reading railroad employees, which put them on a strike for a few days; the operators combined to get up a new basis with the men?

Q. To put wages down?

A. Yes, sir; that was the intention of the new basis; it was intended to modify the basis of 1869, which only involved a lowering of wages to correspond with the price of coal at \$3 at Port Carbon.

Q. Did they succeed in causing a strike?

A. The major part of Schuylkill county remained idle until about the first of August.

Q. Did they resume then?

A. Yes, sir.

Q. On what basis?

A. On a modification proposed by Mr. Gowen.

Q. Called the Gowen compromise?

A. Yes, sir.

Q. So the operators won that fight?

A. They won that fight.

Q. How long did the men work?

A. Throughout the year on that basis.

Q. Was there another strike?

A. The strike that occurred on the 10th of January.

Q. What was the purpose?

A. I have stated that Schuylkill county went out, in accordance with an arrangement they made with the Scranton men; I only know this from hearsay.

Q. You have no difficulty at all with your men now?

A. We have no difficulty now; we have had difficulties the same as other people.

Q. What are the present rates of toll on the Reading railroad from your mines to Richmond?

A. Our two collieries in the Shenandoah valley are about 106 miles from Richmond, by the way of Port Carbon and Reading, which is our usual shipping route; from those it costs us \$6 95 and \$7 00 a ton; because of the general stoppage, the plane is not running and the coal has been going by way of Tamaqua, which is further; the first bill that was made out to us was made out to equalize the usual charge from the collieries to Richmond. From Millersburg to Port Richmond the prices are \$2 47 for about 148 miles; that coal goes through Harrisburg and takes the Reading road here; this was told to me by Mr. Sinickson; I cannot say with certainty that it is 148 miles, but it is near that.

Q. Do they discriminate on the Reading railroad?

A. If that is discrimination, they discriminate against our coal.

Q. Are those rates from your collieries to Philadelphia reasonable?

A. The most we ever paid before that I can recollect, was \$3 58 from Port Carbon to Richmond.

Q. What year was that in?

A. I think in 1864 and 1865.



Q. Was that the case in spring of 1865?

A. It was the case for a long time; I think that was the highest; that is only from recollection.

Q. Are these present rates reasonable?

A. No, sir.

Q. Are they exorbitant?

A. Yes, sir.

Q. Are they in effect prohibitory?

A. They are to an extent; at \$4 00 a ton instead of \$7 00 for freight, I don't think there would be two collieries in Schuylkill county idle to-day.

Q. Would \$4 00 a ton from Port Carbon to Philadelphia be reasonable?

A. No, sir.

Q. What has been the effect of the workingmen's organization on coal operations in Schuylkill county—has it been good or not over the conduct and morals of the men?

A. In my experience it has been good, and beneficial to the operators; before that we had nothing to appeal to except the men, when they went on a strike; since the organization of this association, when we had difficulty with the men, we always submitted the question to the association, and, I think, in every case but one it was decided in our favor, and the men resumed upon our terms.

Q. What was the first blow that the workingmen's organization received—where did it come from?

A. From the Scranton company; that company declined to treat with their men, in order to break the force of their organization; I was in Scranton at the time, and got a good deal of information from Mr. Albright; they put the wages so high that the men could hardly refuse such compensation, and they went to work at a rate higher than ever before paid; that, of course, took the Scranton people out of the association; of this I only know from what I hear.

Q. Did not the coal market droop in the latter part of 1869, and what caused it to droop, if it did?

A. The very great amount of coal shoved into market caused a decline, of course, in prices.

Q. What was done, if anything, by the coal operators' association about that time?

A. In the latter part of 1869, or the early part of 1870, the coal operators made a basis that was very low; I believe the men at that time were satisfied; one of our collieries had stopped on some frivolous pretence during September, but I think the men generally were satisfied and desired no change, but the operators undertook to get up a very low basis; that caused the men to go upon a new hunt for more wages, and they got up a strike, fixed for the 1st of March; but because they could not include the Scranton men, who were getting fine wages, the strike was not made general, and they resumed work upon the old terms in about ten days.

Q. What was coal bringing then at Port Carbon?

A. From \$3 50 down to \$2 50; there was no pretence that they were not getting enough.

Q. In view of this what did the O. B. A. do?

A. They organized a strike; they stopped their collieries.

Q. What do you call the O. B. A.?

A. The Anthracite Board of Trade—dignified with the name of the Anthracite Board of Trade.

Q. What did that end in?



A. The submission of the men.

By Mr. Lamberton.—Q. Did they put down the wages?

A. They offered the men a lower rate of wages, which the men refused to work for, and then they stopped and declined to work until the men did agree.

By Mr. Hall.—Q. Was there a suspension?

A. Some few collieries worked.

Q. Where did the men from the Schuylkill region go?

A. A great many went to other regions; a great many went to the soft coal regions; that strike commenced on the 1st of April, 1870, or about that time.

Q. How did this state of affairs suit the Reading railroad company?

A. Of course they did not like it, and Mr. Gowen stepped in and, by his personal influence with the men, he induced them to agree to his modification—called the Gowen compromise; if I recollect right, it was the basis of 1869, with a modification of 33 per cent. advance and decline, down to \$2; it was adjusted on an advance and decline of twenty-five cents a ton, so that when coal brought \$2 88 at Port Carbon we paid, on a straight basis, as though it brought \$3; but when it brought \$2 87 the men were compelled to take their wages as though it had brought only \$2 75; that caused trouble.

Q. Did coal go down?

A. Yes, sir; to less than \$2 25 at Port Carbon; I think the men were paid as though coal brought \$2 25 for November.

Q. Did the men demand a change?

A. The men said they were cheated, and wanted a change; Mr. Gowen then came again, I was told, with a modification; then there was an arrangement made to submit another proposition; here is a copy taken at the time in our office.

Q. What did the managers of the O. B. A. do at this time?

A. I really don't know; when the men appealed for a decision of course they were resisted by that board until this modification proposed again by Mr. Gowen; he was the general moderator; it was supposed something of that kind would be agreed to.

Q. Do you know whether the men of Schuylkill accepted that?

A. I was told by the operators and workmen both that the men did not agree; I don't know the fact; in the midst of the negotiation the Scranton strike came on, and that dissipated all hope of getting an arrangement; the men agreed to resume on the 15th of February; they did resume at our places.

Q. Why didn't they elsewhere?

A. The Anthracite Board of Trade would not go to work.

Q. Had the tolls been put up?

A. Not at that time; a number of collieries tried to work; probably they would have resumed at \$4 08; a great many encouraged us to go to work because they wanted an excuse for starting.

Q. Shortly after that it was raised to \$6 08?

A. Yes, sir; something like that; in changing the course of our coal to the longer route, it was in the neighborhood of \$6 25 from Tamaqua to Richmond.

Q. These rates have the effect of preventing people from working who desire to work?

A. We work just enough to keep certain furnaces hot; we cannot pay the tolls upon the smaller kinds of coal, and run the risk of keeping it on



hand; our customers buy enough to last twenty-four hours, because there is an impression that there will be a resumption.

Q. On account of the reduction of tolls?

A. Yes, sir.

Q. This keeps you and all coal men in this uncertain condition?

A. Yes, sir—uncertainty and distress; Mr. Thomas told me that the impression was created that there would be an early resumption; the impression was created to prevent our working and selling our small sizes; he said that impression would be created by him and others.

Q. Did he tell you that had been done?

A. Yes, sir—or would be done.

Q. When did he tell you that?

A. A little before the 15th of March.

Q. Which has lost the most time, Schuylkill or Luzerne?

A. I should judge Schuylkill.

Q. Has the management of the operators' association had any thing to do with that?

A. Yes, sir, I think so.

Q. Adverse to operations in Schuylkill county?

A. Yes, sir; I think they have been very adverse to operations.

By Mr. Lamberton.—Q. Who do you mean?

A. I mean the Anthracite Board of Trade; they seem to delight in getting into a fight with the men; that seems to be what they were organized for—to starve them to death; I believe that was the plan.

Q. You are swearing to this?

A. Yes, sir; my testimony is that the operations of the Anthracite Board of Trade have been against the business of the coal trade in Schuylkill county—that is, that they have militated against the business; a more conciliatory policy than they have pursued would have steered us clear of a great deal of the trouble that has been thrust upon us.

By Mr. Hall.—Q. At the time these operators caused this strike what was the price of coal?

A. I think the lowest at which we had made sales was \$2 50, and we had made sales as high as \$3 25; I have heard of no complaint at the time of that strike in April, 1870, of the price of coal.

Q. In your opinion, what will be the effect of this railroad war upon the workingmen, should it result in a victory for the carrying companies?

A. If the men were compelled to submit, I doubt whether they would go over more than the third pay-day before we would have this farce played over again; there is no safe settlement short of some sort of compromise; my opinion is that thing can only be settled by compromise or arbitration.

Q. You are not speaking of the way of settling if the railroad companies have been violating their charters?

A. I have great belief in Mr. Gowen's ability; I don't believe that he feels that his charter is in danger.

Q. You have said that the rates are unreasonable, exorbitant and prohibitory—you don't speak of that in reference to your compromise?

A. No, sir; I do not complain of anything that the Reading road does, except they are discriminating for and against certain coals.

Q. Do you think any corporation has a right to discriminate in that way?

A. We are accustomed to believe that the Reading railroad can do anything.

Q. And it is on that basis that you speak of Mr. Gowen?

A. I believe he knows what he is about; I don't believe he would have been coaxed into this thing by parties.



Q. Why is it that you believe he has done this?

[Objected to by Mr. Lamberton. Mr. Hall offered to prove that Mr. Gowen has been acting in concert with the Anthracite Board of Trade, and that it is their malign influence over him that has caused him to violate his charter.]

Q. Was Mr. Gowen's policy on this road the same that it now is, prior to the first of January this year?

Mr. Petrikin.—Ask what Mr. Gowen did.

By Mr. Hall.—Q. What was the policy of the road, as shown by what Mr. Gowen and the board of directors did prior to the 1st of January this year, as compared with the present policy of the road, which you say is extortionate?

A. I think they discriminate against Schuylkill county.

By Mr. Lamberton.—Q. What did they do?

A. They are charging at least two Schuylkill county operators \$6 95 for about 106 miles, and they are charging two other collieries in the upper end of Dauphin county \$2 47 for about 140 miles, or over; that is one thing I complain of; last summer they put the tolls up \$1 or \$1 50 a ton because of the strike at that time; I don't believe they were influenced by the Anthracite Board of Trade; that was in the direction of this present policy, but not so marked as this; it lasted but a short time.

By Mr. Hall.—Q. Was not this last action on account of the influence of these men?

A. Mr. Borda told me that a fancy rate of tolls would be fixed to meet the case of those who would insist upon working, and not stand out, and it was done; I think he made use of those words; I think Mr. Borda was the representative man of the board in the conference at New York, and it was upon one of those trips to New York; they either had held a session to put up this scheme, or were to have one.

Q. You did not go into this scheme, and were not against your men working?

A. We never had anything to do with any cabal of that kind; at least I had not.

Q. This Colorado colliery is one of yours?

A. Yes, sir; my partner signed a paper once, with the proviso that he would work his colliery if any other colliery worked.

Q. What has the Colorado colliery been producing a year?

A. Something over 100,000 tons.

Q. These books that you have here and this paper given in evidence show the amount of wages paid?

A. Yes, sir.

Q. What would you call a skillful miner?

A. To be skillful a man ought to be a pretty good rough carpenter and do his own wood work.

Q. What would you do if your men wanted more wages than you would feel inclined to pay?

A. Before the organization of the W. B. A. we would have to do the best we could; since that if they demanded anything that was not authorized by the association we appealed to the association.

Q. When did you have your last strike?

A. Colorado stood idle in September last nearly the whole month, on account of some frivolous thing.

Q. How many men did you employ at all your collieries last year?

A. I think some 1,200; I don't think we employed over 1,000 at any one time; I think if we were running now we would employ over 1,200 men.



Q. Are you a practical printer?

A. Yes, sir.

Q. What could you earn, as a practical printer, under the Printers' Union, as compared with the wages of your miners under the W. B. A.?

A. I could, if I should go to my trade, make more money than any man working for me last year made at mining coal, under the rates exacted now by the Printers' Union.

Cross-examined by Mr. Lamberton.—Q. You stated that you had a strike in September for some frivolous cause; can you recollect what it was?

A. I don't recollect; the latter part of the strike had some relation to the size of the boys; I think the greater part of the strike was on account of the boys wanting a raise of wages, and it was settled by a committee of the miners.

Q. Did the men all stop because you did not pay the boys the wages demanded?

A. We could not work without the boys.

Q. The men all stopped?

A. How could they help it?

Q. Did they sympathize with the boys?

A. I cannot say.

Q. Did you complain to the association?

A. I think some of the fathers of the boys got it settled by taking them to other collieries to see if others were paid more.

Q. I want to get at the fact which you have referred to, that whenever there was a difficulty you appealed to the association; was that the case?

A. I don't recollect about the boys; but I recollect that the association fixed up everything; if we had any difficulty with the men in regard to the rate of wages, if it lasted more than a few days, we always appealed to the association; sometimes trouble would be caused about the wages; sometimes by frivolous things.

Q. Would they be sustained?

A. When the majority of them concluded to stop, they stopped.

Q. It was to this tribunal that you appealed to settle any difficulty that you might have between yourself and your men?

A. They, I think, in every case but one, decided against the men.

Q. And they did go to work?

A. Generally.

Q. You have given us certain figures with regard to the cost of transporting coal to Port Richmond from your mines; you have stated that it cost \$6 95 and \$7 00 in going directly to Philadelphia; is that right?

A. I stated that in making up that sum they charge for every mile that it goes around by Tamaqua.

Q. Then the charge is as I have stated?

A. Yes, sir.

Q. Then, when the coal is shipped by the way of Millersburg, over the Northern Central, and brought on to the Lebanon Valley, how much is it?

A. \$2 47, Mr. Sinickson told me.

Q. Then the discrimination you complain of is that when the Reading railroad carries by the way of Tamaqua it is \$6 95, and when coal is taken over the Northern Central, it is \$2 47?

A. Yes, sir.

Q. Is that discrimination?

A. Yes, sir.

Q. Do you know whether there is any arrangement between the North-



ern Central railroad and the Philadelphia and Reading, as to the rates of freight upon all coal shipped over the Northern Central?

A. No, sir.

Q. Do you know that this coal is taken up at Millersburg?

A. Yes, sir.

Q. The Northern Central runs from Millersburg to Dauphin?

A. Yes, sir.

Q. The rate is fixed by the Northern Central, is it not?

A. To that point.

Q. Then you don't know whether the rate is fixed by the Northern Central for the carrying of coal from Millersburg to Philadelphia, and that the Reading road only gets its proportion of the rate charged?

A. It was stated to me that there was some arrangement about that part of the road belonging to the Pennsylvania road, and that some mutual agreement allowed the Reading company to use this five miles, so that the Reading company would make their charges probably from Dauphin to Philadelphia; the difficulty in our business is that from Reading down the coal passes over the same segment of road.

Q. That is the only complaint you have against the road?

A. I don't make it as a complaint; it blocks us out.

Q. You stated that the only thing you had to complain of was the discrimination?

A. Yes, sir.

Q. And this is the discrimination to which you referred?

A. Yes, sir; I also heard that a coal operator had special rates by which he could work.

Q. Who?

A. Freck.

Q. From whom did you hear about any discrimination in favor of Freck?

A. If I were compelled to tell you his name I would do it, but if not, I would not like to.

Q. Will you tell me the name of the person who told you?

A. I think it would probably militate against the business of the man who told me, and I would rather not answer that question, if the committee will relieve me.

[The committee desired the witness to answer.]

A. Spofford and Clark—either one of the firm—told me that Freck was selling coal at a price that would very little more than cover what we were paying at Richmond; that he had some kind of a dispensation to enable him to do it.

Q. Did he state the fact that there was a discrimination in his favor?

A. That was the inference.

Q. Tell me the precise words that Spofford or Clark told you?

A. I cannot.

Q. Did they use the word discrimination?

A. I don't think they did.

Q. It was an inference of yours that there was a discrimination?

A. Yes, sir.

Q. I would like you to produce the bill furnished you by Mr. Sinickson?

A. That I will not do unless compelled; you can read it, if you will not read the name; Mr. Sinickson gave me all the information I have got.

Q. Did he state in the receipt what you have testified to?

A. I told him I knew the fact and asked him when they commenced to pay the tolls; I had understood from the parties who showed me the paper that the tolls were either to Harrisburg or Dauphin, and he corrected that,



and said that the \$2 47 included all the tolls to Richmond ; Mr. Sinickson handles the Lykens Valley coal.

Q. To whom was that receipt given ?

A. That would be telling what I think should not be insisted upon.

Q. You decline to give the name of that gentleman to whom that receipt was given ?

A. Unless the committee say I must give it I would rather not.

Q. What is your reason for not giving us that name ?

A. It might involve the gentleman in some trouble ; I think he was rather sorry he gave it to me.

Q. Did he give it to you to be brought here ; or to furnish information from which you might speak ?

A. No, sir.

Q. Why did he give it to you ?

A. He handed it to me and I put it in my pocket ; I didn't know but what I might talk about it ; I wanted to show it to Mr. Sinickson ; I think it would be unfair to give his name.

Q. Does your statement show the wages you paid in 1869 and 1870 ?

A. No, sir ; only commencing in May.

Q. Does it show the number of days worked by each man ?

A. The book does, but the statement does not.

Q. What was the highest average made per day by any of those who worked by contract ?

A. William Bracy & Co.—two men—averaged \$156 57 per month for the full year, out of which they paid their laborers.

Q. Do you know how many days they worked ?

A. We run the collieries less than 200 days.

Q. We cannot tell by reference to the statements the number of days those men worked ?

A. No, sir.

Q. How many days did the highest one work ?

A. I don't think you can get that.

Q. How many yards would they average per day ?

A. I cannot tell that ; William Bracy & Co. are credited with  $42\frac{1}{3}$  yards of gangway in the month of July ; that was at \$8 50 ; their net pay that month was \$357 00.

Q. Were not those paying wages to the men ?

A. Yes, sir ; I judge they did pretty well that month ; we appear to have paid these men more than any others ?

Q. Did they work more days or take out more yards of coal than any body else—I want to know what a good, skillful miner would earn per day at the prices you were paying in 1870 ?

A. My testimony would be entirely worthless in that regard, simply for the reason that I am a practical printer and not a practical miner.

Q. You can't tell what a skillful miner, working in your collieries, could make in a day ?

A. I don't know.

Q. Does the average you speak of include the boys about the mines as well as the men ?

A. Yes, sir.

Q. You stated that strikes have been frequent in your collieries ?

A. Quite as frequent as in others.

Q. Do you say that your company has had no conflict at all with the W. B. A.—no differences ?

A. Not that I am cognizant of.



Q. In 1868 was there a strike at your collieries?

A. I presume there was; I don't think they would let us go through a year without a strike, but I cannot re-call any.

Q. Did you favor a strike in 1868 or 1869, for the purpose of putting up the price of coal?

A. I am always in favor of sustaining the price of coal.

Q. Did you favor a strike for the purpose of putting up the price of coal?

[Objected to by Mr. Hall, as not being cross-examination.]

[Objection over-ruled.]

A. If I had my say I suppose I would never sell coal at a ruinous rate; I suppose I have urged a plan to get decent prices.

Q. Have you favored strikes for the purpose of putting up the price of coal?

A. I don't exactly know what you mean by strikes.

Q. Or suspensions?

A. Do you mean by the operators or men?

Q. Either by the operators or men; have you favored suspensions for the purpose of putting up the price of coal to the consumer?

A. I have favored a plan by which we could get a fair price for coal.

Q. Have you favored suspensions for the purpose of putting up the price of coal to the consumer?

A. To what figure?

Q. What have you done—have you favored it?

A. Well, I suppose I have; I presume I have.

Q. Have you?

A. I don't like to be so categorical as that.

Q. Please say yes or no to my question, and then make any explanation you desire.

[Objected to by Mr. Hall. Objection over-ruled.]

A. I cannot answer the question by saying yes or no; if nothing else but yes or no will do, I cannot answer the question; if you will let me say that when coal was about to decline to a ruinous figure I have very frequently submitted plans by which we could defend ourselves from that sort of destruction; I think I have on several occasions submitted plans.

Q. Do I understand you to say that you cannot answer that, yes or no?

A. I have answered you by saying—

Q. Do I understand you to say that you cannot answer that question, yes or no?

A. I have submitted plans by which—

Q. I have not asked you about plans; do I understand you to say that you cannot answer the question whether you have favored suspensions for the purpose of putting up the price of coal to the consumer?

A. When coal has been ruinously low we have been compelled to suspend ourselves.

Q. I did not ask you that?

A. I have answered.

Q. You say you cannot answer, yes or no?

A. I might answer if I disregarded all recollection.

Q. Is it because you don't recollect whether you have favored suspensions—is that the reason you don't answer the question?

A. I have favored stoppages when coal became so low that we could make nothing out of it; for the mere devilish desire of putting coal up, I doubt whether I have done anything of the kind—not from the mere wil-



ful desire to put up the price of coal to the consumer above what would be a fair price to the operator.

Q. Have you advocated the policy of suspensions for the purpose of putting up the price of coal?

A. I don't think you put it fairly; I think you want to make me make an admission to militate against me as a business man.

Mr. Davis.—If you answer the question, yes or no, you can explain afterwards.

A. My position has always been that there was no profit to the operator at \$2 a ton; my impression is that coal ought to bring from \$2 50 to \$3, in order to pay a fair rate of wages to the men, and to sustain that I would agree that we should stop when coal got in that neighborhood; whether I have ever done it, in direct terms, I would rather you would not ask me; all that I have ever done is published; I have printed it.

Q. Would you rather I would not ask you because you do not remember, or because you don't want to answer the question?

A. I have done so many things in relation to this coal business that I would rather not be compelled to answer straight out in that way.

Q. Is it because you do not want to answer the question, or do not want to do it in public?

A. I have avowed a policy by which coal could remain steady; I have always been the advocate of some plan by which the idle time shall be methodically distributed.

Q. Was one of those plans suspensions?

A. I think they were all suspensions.

Q. Suppose, by reason of an excess of supply in the market, coal falls below \$2 50 or \$3, do you advocate a suspension of work in order to bring it up?

A. I believe it ought not to fall below \$2 50 at Port Carbon, for furnace, and \$3 for domestic sizes; I would favor a policy that would bring about such a state of affairs.

Q. Take the basis at \$2 50, with the sliding scale, as recommended by Mr. Siney and these operators, of one per cent. for three cents rise or fall above or below that basis, is that not reasonable, fair and just to operators and men?

A. I don't think it would be reasonable or just, for the reason that if you fix the price that will be the price to which coal will tend.

Q. Can there be any permanency of price unless profits and losses are shared together by operators and workmen?

A. While the operator can produce in eight or nine months all the coal that can be consumed in twelve, it is inevitable that some idle time must ensue; the question is where that idle time shall rest; I have believed, from my knowledge, that a division of that time can more safely rest with the men than any other body.

Q. Will you please to state whether there can be any thing more fair or just than a scale or basis which enables the workmen to share the profits with the operators, and share the losses with them?

A. We recognize that general principle.

Q. When coal falls below \$2 50 the operator loses?

A. I think so.

Q. Ought not wages to go down when the operator cannot work his mine to advantage?

A. As a coal operator I would say yes; if I were a miner I would say no.

Q. Don't you think that it is fair for all parties to share profits and losses together?



A. Yes, sir.

Q. Can you carry on your colliery without great pecuniary loss when coal falls below \$2 50 or \$2 00?

A. It would be impossible; there is no coal operator in the anthracite region that could pay the straight basis of 1869 without any fall, and pay the basis of \$3 00. I think there is not five per cent. difference to-day between what the operators would agree to give and what the miners would agree to take; I think it is about a difference of 17 cents a week.

Adjourned until to-morrow at half-past two P. M.

#### EVENING SESSION.

The committee met at 8 o'clock P. M.

Examination of John Siney resumed by Mr. Lamberton.

Question.—Will you fix the time at which you became the president of the executive board of Schuylkill county, at a salary of \$1,500 a year?

Answer.—Sometime in April, 1869.

Q. Had you been working as a miner before that time?

A. Yes, sir.

Q. Are you by trade a miner?

A. No; I have no trade.

Q. What was your trade before you came to this country?

A. I was raised in a cotton mill.

Q. Then all you know about mining is what you acquired since you came to this country?

A. Yes sir.

Q. When did you first go into the mines?

A. 1863.

Q. Then you worked as a miner from 1863 to 1869?

A. I began to work in the mines of this country the latter part of 1863.

Q. What did you begin to work at in 1863?

A. On repairs—as a laborer.

Q. In the latter part of 1864, went in as a miner?

A. Yes, sir.

Q. To work by the day, or on contract?

A. By contract.

Q. You worked by contract, how long?

A. Until I quitted the mines.

Q. Then your knowledge of working by contract as a miner dates from the latter part of 1864, and runs up to April, 1869?

A. Yes, sir.

Q. At the time you ceased working as a miner and took this office, what wages were you earning?

A. I could not tell.

Q. Take the month immediately preceding the time you became president of this board?

A. I cannot tell; I would have to refer to the books.

Q. Cannot you give me any approximation?

A. No, sir.

Q. Cannot you tell whether you made three, five or ten dollars a day?

A. There were days that I made five; some days I did not make two.

Q. What is the average for the year preceding the year you became president of the board?

A. I don't know.

Q. Can you form any estimate?

A. No, sir.



Q. You don't know what you averaged as a miner?

A. No, sir; not of my own knowledge.

Q. The terms offered by the operators, as I understand, was \$2 50 a ton at Port Carbon, with the sliding scale, up and down, of one cent to the miner for three cents rise or fall?

A. When?

Q. The terms offered by the operators, which you recommended?

A. I think I understood it to be \$2 25; I am not exactly sure; I know it was to begin at \$2 50.

Q. The basis being at \$2 50, and that being the minimum price of coal, I want to know what a miner could earn by contract on an average every day of eight hours' work?

A. That is more than I can tell.

Q. You have heard the testimony of operators here, and you have seen one operator with his book, giving the average, now, with your experience as a miner and as president of the executive board, ought to be able to judge what the ordinary rate of wages would be in the mines—just answer if you can?

A. I have already said that I cannot answer; I cannot approximate the earnings under oath.

Q. Taking any colliery with which you have acquaintance, cannot you tell me what a miner could earn working by contract?

A. I could not.

Q. Could you tell me if you were to go into the colliery of Mr. Hendrick's, what you could earn a day at the basis of \$2 50?

A. I never dug coal in Mr. Hendrick's colliery.

Q. Take any colliery where you have been engaged?

A. It would depend upon the place; some places I might earn \$5, and some not \$2.

Q. Take any colliery you have an acquaintance with; do you mean to tell me you don't know what you could earn as a miner in any colliery in which you have been engaged?

A. I have already told you that I cannot tell you.

Q. Then, why is it that you recommended the miners of Schuylkill county to go to work at this basis?

A. To avoid this conflict.

Q. At what had they been working before?

A. The last time the two committees met to ascertain the price of coal, the average at Port Carbon was \$2 75½.

Q. On your oath I ask you if you have the slightest doubt in your mind, that if the miners had accepted this proposition of yours, to go to work on the \$2 50 basis, with the sliding scale, could they not have made money and supported their families. Have you the slightest doubt of it in your own mind?

A. Yes, sir; I have.

Q. Then you believe it is better for these miners to be idle month after month, with their families dependent upon them, than to go work at these prices of \$2 50?

A. No, sir; I believe nothing of the kind.

Q. Are you a married man?

A. No, sir.

Q. No family?

A. I have some dependent on me—my mother and a daughter.

Q. You think this better for these men to be standing idle than to go to work at this basis of \$2 50?



A. I did not say so.

Q. I understood you to say to Mr. Hall that they were starvation prices?

A. I say so still; but half a loaf is better than no bread.

Q. Then it was to avoid any conflict between the miner and operators that you recommended this proposition?

A. Yes, sir.

Q. Was there any difficulty upon the subject between the miners and operators at the time of this operation?

A. Not to amount to any thing?

Q. Was not this price agreed upon by you and Mr. Ryan, as the representatives of the W. B. A., in conference with the operators as to what was a fair price?

A. Just as it is there. [Referring to the agreement.]

Q. It was an amicable conference fixing the price for 1871?

A. No, sir; the recommendation upon our part was with a proviso establishing the rates.

Q. I find you were to commence with coal at \$2 50 at Port Carbon, outside wages \$9 00 per week; that was the outside labor?

A. Yes, sir.

Q. Don't you think that the outside laborer could support himself at that rate?

A. At steady work.

Q. Then the steady work depends upon whether the outside laborer is ordered to quit or go on by the W. B. A.?

A. No, sir, I think not; I think they often quit without being ordered?

Q. Then it depends upon the association or himself?

A. Or his employer.

Q. But here is an agreement by his employer to pay \$9 00 per week?

A. Yes, sir.

Q. Did not you help to fix that price?

A. I helped to recommend it.

Q. Did not you think it was a fair and just price when you agreed to recommend it?

A. No, sir, I thought no such thing, but it was the best under the circumstances.

Q. What were they getting before?

A. Less than \$2 50.

Q. Do I understand you that this was an actual increase?

A. An actual increase at \$2 50.

Q. Then they were living?

A. I did not hear of any one dying of starvation.

Q. This was an increase?

A. If it had been kept at \$2 50 it would have been.

Q. I find inside wages were \$10 a week; upon what would that depend?

A. Upon the same sources.

Q. The miner who worked by the day would secure \$12 a week if he worked; that would depend upon whether he worked or stopped work, or whether the employer wanted him to go on?

A. Yes, sir.

Q. It was not because you considered this a fair and just table of prices that you recommended it, but it was purely to avoid any conflict?

A. Yes, sir.

Q. Was there any conflict between the men and operators, or any talk of any conflict, at the time of this agreement?



A. There was a prospect that there would be another arrangement arrived at for the present year.

Q. The workmen had resumed upon the Gowen compromise of last year and were working on it at this time?

A. Yes, sir.

Q. And this was an arrangement between you, as the representative of the miners, and the operators, as to the price of work for 1871?

A. A recommendation; yes, sir.

Q. Then you say it was not because you thought this was a fair and just price, but because you wanted to avoid a conflict when none was threatened?

A. There was one threatened.

Q. In your association?

A. Yes, sir.

Q. You had been discussing the propriety of demanding an increase?

A. Yes, sir.

Q. Why?

A. Because they thought it was too low.

Q. Is not the idea of your association to keep up the price of coal in order that wages can be kept up?

A. You can call it what you please.

Q. You say it is your purpose to keep up the price of wages; don't you know that if the wages are kept up the price of coal must be kept up to supply those wages?

A. Certainly.

Q. When men are working upon any basis that may be fixed, don't their wages rise or fall with the price of coal?

A. Yes, sir; they have been doing so.

Q. As a member of the General Council, do you not know it is a principle and the policy of that council to order suspensions for the purpose of keeping up the price of coal and the price of wages?

A. No, sir; the real object we have in view is to deplete the market of the surplus.

Q. So as to increase the demand for coal at particular times?

A. Yes, sir.

Q. By exhausting the market, then, you know that you put up the price of coal?

A. It would naturally follow that when an article was in demand it would demand good prices.

Q. By depleting the market don't you know you render the furnaces unable to go on?

A. I do not understand manufacturing.

Q. Don't you know that by depleting the market you exhaust the supply of coal?

A. To a certain extent.

Q. The policy of the association is to deplete the market so that there shall be a very small supply of coal?

A. We have no desire to see the market cleaned out.

Q. If you keep up simply as much coal as is necessary to supply the market, how can the use of coal be extended to places that cannot get it?

A. I don't know.

Q. Is not that the effect of these strikes?

A. Our strikes have never prevented anybody from getting coal, because we have never held them that long.

Q. How long did you hold them last summer?

A. That was a strike against a reduction; I believe it lasted in the neigh-



borhood of four months ; the places that stopped first did not resume until after the compromise was accepted ; that strike was only in our own county.

Q. You have just said that this strike obtained was only in the Schuylkill regions ?

A. I consider that we all depend upon the Reading road.

Q. At the time of that strike the association was in full operation in Schuylkill county ?

A. Yes, sir.

Q. Had it extended to the Luzerne and Lehigh region at that time ?

A. Yes, sir.

Q. Were the miners employed by the three great companies, in the upper region, members of the association ?

A. I believe they were suspended at that time.

Q. What were they suspended for ?

A. For refusing to co-operate with the rest when the majority of the council called for that suspension.

Q. Because they insisted upon going on to work when the council ordered them not to work ?

A. Yes, sir.

Q. You suspended them from the council ?

A. Yes, sir.

Q. They are now in full harmony and accord with the General Council to act under its orders.

A. I presume they are.

Q. When were they restored to membership ?

A. I don't know—sometime during the latter part of last year ; I am not sure whether they were all admitted or not previous to that reduction.

A. Which was offered ?

Q. Were you a day laborer in England ?

A. Yes, sir.

Q. What were you getting there a day ?

A. Three, four and five shillings a day—seven or eight at times.

By Mr. Hall.—Q. Was the Anthracite Board of Trade organized before the W. B. A. ?

A. They had an organization ; I don't know whether they were called by that name or not.

Q. Is your organization secret ?

A. No, sir.

Q. Is it beneficial ?

A. Yes, sir.

Q. Did the operators say they could not permit to go to work until after the Philadelphia meeting ?

A. Yes, sir ; they said they had to negotiate.

By Mr. Lamberton.—Q. Who said so ?

A. The committee ; they said they had not power to enter into any negotiations until after the Philadelphia meeting.

Q. Who said this ?

A. That committee ; I cannot say what individual gentleman said it ; Mr. Kendrick and Mr. Siegfried were on that committee ?

By Mr. Petrikin.—Q. Where were you born ?

A. Ireland.

By Mr. Hall.—Q. This is a copy of the agreement made with these operators. [Paper shown witness.]

A. Yes, sir.

Paper offered in evidence by Mr. Hall, and read as follows :



## CIRCULAR.

At a meeting of the coal trade, at Pottsville, July 29, 1870, the following resolutions were adopted:

*Resolved*, That we, a majority of the signers of the paper of March 15, 1870, agree to resume work on the basis negotiated by F. B. Gowen, Esq., president of the P. & R. R. Co., and continue working as long as the terms will warrant without too great a sacrifice.

*Resolved further*, That in order to prevent future misunderstandings we recommend the presidents of the Anthracite Board of Trade and the Workingmen's Benevolent association, to embody in a circular properly signed by both, their mutual understanding of the points above alluded to,\* for reference in the settlement of any disputes that may arise at any colliery between operator and employee.

ROBT. B. BEATH,  
Secretary A. B. of Trade.

*Agreement made at Pottsville, this 29th of July, 1870, between the Committee of the Anthracite Board of Trade and the Committee of the Workingmen's Benevolent Association.*

It is agreed that the W. B. A. shall not sustain any man who is discharged for incompetency, bad workmanship, bad conduct, or other good cause; and that the operators shall not discharge any man or officer, for actions or duties imposed upon him by the W. B. A.

It is further agreed that the spirit and intention of the resolution, (called the equalization resolution,) passed by the W. B. A., is that each man shall work regularly, and it is the place of the bosses and operators to see that he does.

The resolution is, that any miner earning, above expenses, over \$100 and less than \$125, shall be reduced 10 per cent. on the basis. Earning over \$125 and under \$150, shall be reduced 20 per cent. on the basis. Earning over \$150 and under \$200, to be reduced 30 per cent. on the basis. Earning over \$200, to be reduced 40 per cent. on the basis.

For obtaining the price of coal monthly, the president of the Anthracite Board of Trade and the president of the W. B. A. of Schuylkill county, shall meet on the 20th day of each month and select five operators, who shall, on the 25th inst. following, produce a statement, sworn or affirmed to, of the prices of coal at Port Carbon, for all sizes above pea coal.

The five operators shall be selected from a list of those shipping over 40,000 tons annually, and none shall be selected a second time until the list is exhausted.

The price of coal so obtained shall fix the rates of wages for that month, and this agreement in regard to the mode of obtaining prices shall remain in force during the year 1870.

WM. KENDRICK,  
J. K. SIGFRIED,  
M. P. FOWLER,  
SAML. E. GRISCOM,  
BAIRD SNYDER.

JOHN SINEY,  
GEORGE CORBETT,  
GEORGE ATHEY,  
JAMES BARRY,  
ROBT. WEIGHTMAN.

By Mr. Hall.—Q. Is this the first organization of the board of trade?  
[Articles of association of the Mahoney Valley and Locust Mountain

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\* Contained in the agreement.



coal association shown witness, showing that the association was organized February 10, 1868.]

A. The first that I have any knowledge of.

Enoch P. Evans, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Where do you live?

A. In Jeddo.

Q. What position do you hold in the W. B. A.?

A. I hold no official position at this time.

Q. What position did you hold in 1870?

A. I was president of the branch in Jeddo.

Q. When did you cease to be president?

A. I cannot remember the date; it was somewhere about the month of August or the latter part of July.

Q. Who became president in your stead?

A. A gentleman by the name of Neil P. Johnson.

[Witness identified the signatures of several of the notices presented by Mr. Markle, and testified that the signers of those papers were members of the W. B. A. at that time. He also identified the seals of the association attached to said notices.]

By Mr. Hall.—Q. What was it that Mr. Markle wanted to bind you to?

A. My memory is defective, but I will show you a copy of the letters.

[Witness produces letters published in the *Monitor*.]

Witness—What gave rise to these notices being served upon Mr. Markle was because he had introduced into the colliery, and had succeeded in getting a lease signed by a few unlettered men that was found to be injurious to them; I cannot remember the import of the lease, but I know it was an objectionable one; we objected to the lease, and politely asked Mr. Markle if he would be so kind as to erase the names of those men there on that lease.

[*Anthracite Monitor*, of February 5, offered in evidence by Mr. Hall.]

Mr. Lamberton objects, unless the original lease was proved to be lost or that this was an exemplified copy.

By Mr. Hall.—Q. Had you a copy of this lease?

A. Yes, sir.

Q. Do you believe this to be an exact copy?

A. Yes, sir; we sent our copy to the *Monitor* for publication.

Q. They published it as you sent it?

A. Yes, sir.

Q. What became of the lease Mr. Markle had here the other day?

A. He took it away.

[Copy of lease published in *Monitor* admitted by the committee.]

Neil P. Johnson, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Where do you live?

A. In Jeddo, Luzerne county.

Q. Will you state what position you occupied in the association on the 30th of November, 1870?

A. I was president of the branch and am now.

[The witness identifies the signature of Enoch P. Evans.]

Enoch P. Evans, re-called by Mr. Lamberton.

Q. [Paper shown to witness.] Is that an official paper?



A. Yes, sir.

By Mr. Hall.—Q. Were you president of the branch at that time?

A. No, sir.

[Paper shown to witness by Mr. Hall.]

Q. Have you any knowledge about this?

A. Yes, sir; there was an interference upon the part of Mr. Markle with the agreement entered into between him and his men; he wanted to change that agreement and change the system of working by the ton or car to working by the yard or foot.

Q. When did Mr. Markle undertake to do this?

A. Some two or three months previous to our taking any action against it; we were compelled to do it or stop work; the notice was given in order to make an arrangement without having a strike.

By Mr. Lamberton.—Q. Please state who it was that made this agreement with Mr. Markle?

A. I cannot tell you; Mr. Markle signed it in company with the men.

Q. Then what business had the branch to interfere with the men? What reason had the branch to interfere with the contract made by Mr. Markle with the men he had employed to do this work?

A. The men did not interfere; that resolution was to repel the interference upon the part of Mr. Markle.

Q. It did not relate to the men who were employed by Mr. Markle?

A. Yes, sir.

Q. Were not they the proper ones to repel the interference, and not the branch?

A. The branch are the men.

Q. Did this arrangement affect the individual wages of each man?

A. It would have affected them.

Q. Was the contract made with the branch or with the men?

A. With the men.

By Mr. Hall.—Q. Was every man who worked for Markle a member of this branch?

A. I think they were.

John Lloyd, called by Mr. Lamberton, being duly sworn, testified as follows:

Q. Did you occupy any position in the W. B. A. last year?

A. Yes, sir.

Q. What was it?

A. I was president part of last year of the district I live in.

Q. You live at Stockton?

A. Yes, sir.

Q. Were the men who were employed by Dr. Linderman's colliery members of the W. B. A.?

A. Some of them.

Q. What proportion?

A. To the best of my knowledge the majority of the men in that town were members of the organization.

Q. How many men had Dr. Linderman employed last year at any one time who were not members of the W. B. A.?

A. Sometimes there may have been a dozen.

Q. How many men were employed by him?

A. Somewhere in the neighborhood of 325.

[Paper shown to witness.]



Q. Look at that paper and see if there was such a paper sent by you as president?

A. I believe this is correct.

Q. Are the signers of that members of the association?

A. I believe they are at present.

Mr. Lamberton.—This is a letter notifying Mr. Linderman to discharge no Union men.

Q. Look at the names and see if they were members of the association?

A. I am almost sure that these men were out of the Union at that time, but we did not ask them to discharge those men.

Q. This is a copy of the paper, and these are the names of the men you notified Doctor Linderman to discharge?

A. We said if they did not join we would suspend.

[Paper shown witness.]

Q. See if this is a copy of the original?

A. Yes, sir; I believe this is a correct copy of the one I received from Doctor Linderman; I have it at home.

Mr. Lamberton.—I offer now a letter in reply to this communication addressed to Doctor Linderman; we have not the original. This is a part of the transaction.

Mr. Hall.—Doctor Linderman can be a witness. I object to any letter.

[Letter admitted and read as follows:]

“NEW YORK, *June*, 1870.

“JOHN LLOYD, *President*:

“DEAR SIR:—We are just in receipt of your order of 20th inst. The men you refer to are free, moral agents, and by the laws of God and man we have no right to control their actions in the matter of the freedom of actions and will. They must follow the dictates of their own conscience. We have no more right to order them to join the Unions than we have to ask or order you to leave the Union; therefore, if the works stop you are responsible, as you have ordered that which is not in our power to have done. Had you ordered us to discharge them or you would suspend work, then you would have put it in our power to carry out your order. But your order is, that they must join the Union, and as we said we cannot make them do that which they are not willing to do, you will, therefore, see that the whole responsibility is with you.

“Trusting that you will see this matter in its true light, we are

“Respectfully,

(“Signed)

“LINDERMAN & SKEER.”

At a meeting of the W. B. A. the following resolution was passed:

“*Resolved*, If those men do not join our association betwixt said date and Saturday night, June 25th, a suspension will take place on Monday, June 27th.”

By Mr. Hall.—Q. You were about to give some explanation of this paper?

A. This paper was simply to notify Dr. Linderman that if those gentlemen did not join our organization we would suspend work; we had our reasons for doing so; when our organization was first started there was several of our members discharged for joining the organization, and in order to protect ourselves in the future we asked these men to join our organization; the men did so, and we thought it would be better to give notice that we would suspend at a few days' notice than to suspend without giving any notice; we thought it just to the employer; we did not wish to stop his works.



By Mr. Petrikin.—Q. How many men were there who did not belong to the Union at the time?

A. Sixteen out of 350.

Q. Did Linderman and Skeer discharge any of their men without giving them notice?

A. The superintendent did.

Q. Who was it?

A. William Carr.

By Mr. Lamberton.—Q. What did he discharge them for?

A. For joining the Union.

Q. I want to ask you whether Mr. Carr, after the suspension, did not agree to pay the firemen on a basis of \$7 50, and was that not all you asked?

A. He agreed to pay the basis of \$5, and the sliding scale.

Q. Did not he agree to pay at the rate of \$7 50?

A. Yes, sir.

Q. Did you order those men to stop their work, when they were being paid at that rate?

A. No, sir.

Q. Did Mr. Carr, or anybody else, on behalf of Mr. Linderman, see you in relation to having those men go on with their work?

A. I believe Mr. Carr did speak to me about it; I told him we did not stop them.

Q. Did you go around to see the firemen yourself to tell them to stop?

A. No, sir.

Q. Were they stopped in pursuance of a resolution of the branch?

A. No, sir; they stopped on their own account.

Q. Do you know Mr. Wolever?

A. I know a Mr. Wolever.

Q. Did he want to withdraw from your association?

A. He never applied at any meeting to withdraw.

Q. Did he ask you for a withdrawal card, and did he say he wanted to support a large family dependent upon him?

A. He never asked me for a withdrawal card.

Q. Do you know that he asked any other officer?

A. No, sir.

By Mr. Hall.—Q. Did you get this paper from Mr. Linderman?

[Paper shown witness.]

A. I got it at their office.

[Another paper shown witness.]

Q. Where did you get that?

A. I got that in the same way; this is a circular that Linderman issues from the Coal Exchange, and he reduced our wages twenty-five cents below the basis in December, last year, notwithstanding his agreement.

[Paper read as follows:]

NEW YORK LEHIGH COAL EXCHANGE, }  
New York, December 1, 1870. }

At a meeting held this day, the following prices were adopted for December shipments at Elizabethport, Port Johnston and Hoboken:

Lump .....	\$5 00
Broken .....	4 75
Egg .....	4 75
Stove .....	5 25
Chestnut .....	4 00

Attest:

JAMES H LYLES, *Secretary.*



STOCKTON, PA., *December 2, 1870.*

*To the W. B. A.:*

We do agree to pay the \$5 basis until the 10th of this present month.

LINDERMAN & SKEER,  
*Per Wm. Carr.*

By Mr. Lamberton.—Q. Were the wages reduced?

A. We got a notice to that effect.

Q. Were they reduced?

A. We suspended work; we would not work at the reduction; we have been suspended since the 10th; we worked on until the 10th of January.

Q. Upon what basis were you paid until the time you were suspended?

A. I cannot recollect.

Q. Was there a strike at that time?

A. No, sir.

Q. When did the strike begin?

A. We stopped on the 9th of January, 1871.

Q. Was the strike caused by that circular?

A. Yes, sir; that was the starting of it.

Q. Upon what basis did you work all through the month of December?

A. We worked on the \$5 basis up to the 10th of December, according to notice; I am not sure what price we had after the 10th; to the best of my knowledge it was the \$5 basis; I am not perfectly sure.

Q. When did you get that circular?

A. Somewhere between the 1st of December and the 10th.

Q. Was there any action in any of your councils relating to the strike before that circular was received by you?

A. Not to my knowledge.

Q. No strike was contemplated before that circular was received?

A. There was no action that I am aware of.

Q. Was there discussion relative to the strike before that was received?

A. We did think, according to the notice we got from Mr. Linderman, that he would pay us the basis up to the 10th; we expected that we would suspend after the 10th in order to keep our own basis.

Q. Was there a meeting at Hazleton by any of the council, or those immediately connected with them, to take into consideration the propriety of the strike before you received that circular?

A. Not to the best of my knowledge.

Q. Was there a meeting of the W. B. A., with relation to the basis upon which they were going to work?

A. According to hear say there was.

Q. Was there not an agreement to pay \$5 for December?

A. I cannot say.

Q. Did not they work right along in December, in pursuance of that agreement?

A. I cannot say.

Q. Was not this strike ordered by the Grand Council?

A. It was by the request of the members of the W. B. A.

Q. I ask, was it not ordered by the Grand Council?

A. The suspension was ordered.

Q. For what time was it ordered by the Grand Council?

A. No specified time.

Q. Was it not directed to be commenced on the 10th of January?

A. That was the request.

Q. Was not that the order?



A. Yes, sir.

By Mr. Hall.—Q. Was not this time between the 10th of December and the 10th of January, a temporary arrangement by which you continued on the \$5 basis?

A. I believe it was a temporary arrangement.

By Mr. Petrikin.—Q. What position do you hold in the society?

A. I am president of the Stockton district.

Q. Do you get any salary?

A. No, sir.

Q. What are you holding it for now?

A. We don't know what we are holding it for.

Q. Do you know what wages you are asking there now?

A. We have never asked any wages since the suspension took place, unless it was these terms.

Q. You don't know what would make peace and set you to work?

A. Yes, sir; I do.

Q. Well, what is it?

A. Last year's terms agreement; that is all we ask.

By Mr. Dechert.—Q. That is what you call the Gowen compromise?

A. No, sir; we do not accept any Gowen basis in our region.

By Mr. Davis.—Q. Do you get a strike up every year to decrease the amount of coal?

A. I believe it is necessary to have suspensions sometimes. I have words to that effect from Doctor Linderman.

By Mr. Hall.—Q. What did he say?

A. He told me that when coal was selling at \$5, he was losing money; when it was selling at \$6 at Elizabethport he could just make both ends meet; I have understood ever since that he did not wish to work when it was selling below \$6.

By Mr. Petrikin.—Q. Is there an over-production when the hands are all at work?

A. I suppose there is.

Q. There are too many hands employed?

A. There is too much coal for the consumption; we do not care how much coal they produce so long as we can get our wages.

By Mr. Hall.—Q. What do you say are living wages?

A. I believe a man with a moderate family might get a bare living at the \$5 basis by working steadily all the time.

Q. Why did you stop when the basis was \$5 50?

A. We were offered a reduction.

Q. Did not you receive a circular in January, this year, from Linderman, giving a basis of \$5 50.

A. I cannot answer that question.

Q. Were you not paid on that basis in January?

A. I think we were up to the time.

Q. You struck whilst receiving that basis?

A. Yes, sir.

Q. When a general suspension takes place in the coal region by order of the association, is it not done for the purpose of increasing the price of coal?

A. No, sir; not to the best of my knowledge.

Q. What is it for, then?

A. To maintain living wages.

Q. By increasing the price of wages you increase the price of coal?

A. I don't know anything about that.



By Mr. Hall.—Q. That is what Dr. Linderman says; he wants to increase the price of coal?

A. Yes, sir.

Mr. Lamberton—We will rest here.

Mr. Hall then addressed the committee, insisting that the question before the committee was entirely a question of law, as to whether the railroad companies had gone beyond their privileges.

Adjourned until to-morrow at half-past two o'clock P. M.

THURSDAY, *March* 23, 1871.

Committee met at half-past two o'clock. Present—Messrs. Davis, Dechert, Petrikin and White.

John Brisbin, re-called by Mr. Lamberton.

Q. Were the wages paid by the Pennsylvania coal company, the Delaware, Lackawanna and Western company, and the Delaware and Hudson canal company, uniformly the same for the last two or three years?

A. Those three companies have usually paid the same rate of wages; the Pennsylvania coal company made a small reduction previous to the three companies joining in the reduction of December 21st; the aim is to pay the same rate of wages.

Q. How did the wages that were proposed to be paid by your company and the other two companies compare with the wages offered by the operators in the Schuylkill and Lehigh regions?

A. The wages proposed to be paid would be equivalent to what the miner would get under the Schuylkill basis, when coal was at \$2 75 at Port Carbon; perhaps not quite as much; our wages are fixed wages, and not on the sliding scale.

Daniel O. Hitner, called by W. Hall, being duly sworn, testified as follows:

Q. Do you know C. B. Nice?

A. I do.

Q. What does he do?

A. Sells coal.

Q. Is he an agent for the operators in Philadelphia?

A. He says so.

Q. Did he tell you he was at the Philadelphia meeting that you have heard talked about?

A. He did.

Q. Did you have any conversation with him as to what took place between himself and Mr. Gowen at the Philadelphia meeting, or what he heard Mr. Gowen state there?

[Objected to by Mr. Lamberton.]

Mr. Hall—I propose to prove that Mr. Nice went to this meeting at the instance of the operators, and that immediately after the meeting was over Colonel Hitner asked him what they had done at the meeting, and that he said they had not done any thing, and that he then said this: That president Gowen said if they went to work at the \$3 00 basis he would put the tolls so high as to prevent any business being done; and further, that if they carried a small amount of coal on that road he would make them pay as much as he would if the road was working at its full capacity.

[Admitted.]



By Mr. Hall.—Q. I understand you to say that this gentleman told you that he was the agent of the operators; do you buy coal in Philadelphia from this gentleman?

A. Mr. Nice lives in Norristown; he passes up and down the road generally twice a day; in regard to this meeting, we were short of coal; I was in Philadelphia the day the operators met and met Mr. Nice; he told me there was to be a meeting; I asked him if he was going to that meeting, and he told me he was; I said to him, "let me know when you come home what takes place." He stated to me that there was nothing done; he said he was at the meeting, and that Mr. Gowen told the operators that if they went to work on the \$3 00 basis he would put up the tolls—for instance, if they were to carry 40,000 tons he would charge toll that would pay for the full capacity of the road; that is what Nice told me; he did not say prohibitory tolls.

Q. Has this gentleman an office in Philadelphia?

A. Yes, sir.

Q. What is his business?

A. Making iron; he has three furnaces; two of them are in operation and one out of blast.

Q. Have you or not contracts to supply iron which were made before the increased rate of tolls?

A. I have—running up to the 1st of July.

Q. Are the rates of toll for coal on the Reading railroad reasonable or unreasonable?

A. We think they are very unreasonable.

Q. Are they exorbitant?

A. They are.

Q. Are they in fact prohibitory?

A. We would think them so if we had not contracts to fill.

Q. What do you know about drawbacks on the Reading road?

A. We never had a drawback allowed to us except about 30 days last year.

By Mr. Lamberton.—Q. Whereabouts is your furnace?

A. Twelve miles from Philadelphia, on the Schuylkill.

Q. Whereabouts is Mr. Nice's place of business?

A. It is in Walnut street.

Q. Is he a dealer in coal?

A. He is an agent selling coal; that is the only way that I know of his dealing in coal; he sells to me and other companies.

Q. Did you have any conversation with him in which he told you that he was an agent of any operators?

A. Yes, sir; I cannot name the time exactly; he told me he was the agent for several companies.

Q. On what day was it that he told you he was going to attend a meeting of the operators?

A. The day of the meeting; I don't recollect the date.

Q. Whereabouts did he have that conversation with you?

A. In Walnut street, near his office.

Q. Did he, on the same day, speak of what had taken place there?

A. I think it was the same evening or the next morning; I asked him to do it for me and he stopped to let me know.

Q. Did he tell you Mr. Gowen had stated what you have repeated?

A. He did.

Q. Did he tell you who were present at the time?

A. He did not except Mr. Gowen; he did not name any other parties.



Q. Did he say where the meeting was held?

A. He did not.

Q. Do you know that Mr. Nice declares that he never said anything of the sort?

A. He did not say so to me.

Q. You don't know the fact?

A. No, sir; I do not.

Q. What rates of toll are you paying now for any coal you are getting over the road?

A. \$5 15 and \$5 30 from Schuylkill Haven to Port Carbon; I am not sure whether it is to Eagle Bridge or Spring Mill; I am not positive whether that includes twenty cents on the Norristown branch; I think it does.

By Mr. Hall.—Q. I understand you to say you are paying that now because you have contracts which you are obliged to fill, and which run up to July?

A. Yes, sir.

Q. Were you told by the operators of any plan Mr. Gowen said he had to prevent strikes in the future?

A. I never heard anything but rumor.

Q. How many furnaces have gone out of blast in that neighborhood that you know of?

A. In our immediate neighborhood there are three.

By Mr. Lamberton.—Q. At the time you say you were allowed a drawback, were not the rates of drawback published to all the world?

A. I don't know whether they were published or not.

Q. Did you get this drawback by personal application?

A. No, sir.

Q. How was it allowed to you?

A. By the collector; he said there was a drawback; I have seen drawbacks published regularly during the season to eastern shippers, I think; we were never interested in it.

Q. Why did the other furnaces go out of blast?

A. Mr. Schall said he could not pay the price of coal.

By Mr. Hall.—Q. Why did not you take an interest in drawbacks to eastern shippers?

A. We did not get the benefit of it.

James Kealey, called by Mr. Hall, being duly sworn, testified as follows:

Q. Where do you reside?

A. Centralia, Columbia county.

Q. Are you acquainted with the W. B. A.?

A. I am.

Q. What is your position?

A. I am president of the General Council.

Q. Were you president in December, 1869?

A. No, sir.

Q. Were you a member of the council at that time?

A. I was.

Q. Did or did not the council vote to suspend throughout the coal region about that time?

A. I cannot recollect so far back; they had a vote upon that question in December, 1870.

Q. Why did they vote to suspend?

A. Because the wages of the workingmen were so low that they could not sustain themselves.



Q. Is the organization incorporated?

A. Yes, sir.

Q. Has it officers?

A. It has.

Q. Rules and regulations?

A. Yes.

Q. How is it controlled?

A. Controlled by the will of the people composing the W. B. A.; each man has a vote; when any important question has to be brought before the council the people first take action, instructing their delegates how to vote; they assemble in council, exchange views and take a vote; if the decision of the council is contrary to the wishes of any part of the coal region, or the members of the association in any part of the coal region, they are at liberty to reject it; it is not binding upon them unless it suits their views; if a county or district does not wish to be governed by the law that is passed, they are at liberty to reject it, and have, in some instances, done so; in the district I live in they have rejected some of the proceedings of the General Council.

By Mr. Brockway.—Q. Are the people of your county working now?

A. There is one colliery, I believe, working now, or was when I left.

Q. Whose is that?

A. J. M. Freak's.

Q. What are the benefits of your association?

A. There are a great many benefits arising from the association; if a member is sick he is supported and visited by brother members; men are cared for in sickness both financially and otherwise; if a member of the association dies he is buried by the association whether his folks are in good circumstances or not; we make it a point that he should be buried by the association, at their expense; we do not allow the members to impose upon each other; we make a request, but we do not make it binding, that in case two members fall out they shall first submit the matter to the association before going to law.

By Mr. Hall.—Q. What do you require so far as the morals of your association are concerned?

A. If a man is convicted of being a habitual drunkard he is expelled from the association; if a man presents himself for membership who can be proved to have been convicted of a felony he is rejected; if a man is quarrelsome in his own family, it is a black mark against him, whether he is a member or not.

Q. In a word, you frown upon evil?

A. Yes, sir; in every shape.

Q. And encourage morality?

A. Yes, sir.

Q. Did you live in the mining region before this association was organized?

A. I did.

Q. What was the condition of affairs there then as compared with the condition of affairs there now?

A. Before this association was organized I have seen men making boxes out of store boxes to bury their children; I have seen men discharged for asking for \$20 when \$50 were due them; I have no knowledge of affairs in the coal regions during the war; I was in the war all the time; I think our association was chartered in the early part of 1869; before the organization we had a great many evils but the most striking of them was the sell;



ing of whisky in the companies' stores to the miners; I considered that a great evil; I don't know how others consider it.

Q. Were the miners obliged to buy things at the stores of operators before that time?

A. In most all cases they could not get money to buy any where else.

Q. How is it now as to stores—have you co-operative stores?

A. In some places—not in our place.

Q. Would you have co-operative stores if you were imposed upon by high prices?

A. If we had money we would; it is our intention to start them if we can for the purpose of being the seller and the consumer.

Q. What is your business, independent of mining?

A. I am a justice of the peace; have been so for over two years; I was in the war all except the first three months.

Q. Did you have these lists in your region that were spoken of by Mr. Markle?

A. We have had such lists because our people are more intelligent than to sign away their rights in that way; I never heard anything of the kind in our region.

Q. What were the prices of labor when the last suspension took place?

A. I could not tell the exact figures; Centralia was a little better than Schuylkill county; we resisted the imposition that the operators put upon Schuylkill county, and we carried our point after two or three weeks stoppage; my recollection is that the wages ranged from \$8 50 to \$13 or \$12 a week.

Q. You were a member of the organization before you were elected president?

A. Yes, sir; and before it was incorporated by the Legislature; we were first incorporated by the court.

Q. Have you ever known the organization or its officers or men to violate the laws of Pennsylvania?

A. I never knew them to violate the laws of the Commonwealth, according to my construction of the laws.

Q. Was or was not the Anthracite Board of Trade incorporated into an association before yours?

A. I don't know whether it was incorporated or not, but it was an association having monthly meetings.

Q. Do you know of any arrangement that they had among themselves to ticket?

A. Yes, sir.

[Tickets produced.]

Q. What did they do with these?

A. They were sent from one colliery to another for the purpose of preventing the employment of men; these are designated in our country as black lists.

Q. That was a man's working death—he would not be employed?

A. No, sir; the men would not be employed whose names were on the black list; we had men in our place who had to deny their names in order to get work; when the boss found it out they were discharged; I have any amount of affidavits to that effect.

Q. I understood you to say that you did not form yourselves into an association to protect labor until these men had formed themselves into an association to protect themselves?

A. Not till after.

By Mr. Petrikin.—Q. Why were these men's names put on these lists?



A. So that each operator could know the names of men that had struck for wages at any colliery.

By Mr. Lamberton.—Q. How long have you been a member of the W. B. A.?

A. Most ever since it existed—since 1868.

Q. When was the General Council incorporated?

A. I cannot give the date; I was not present.

Q. How were you elected president of that association?

A. By a majority of the votes of the representatives of the association.

Q. What counties are included in the coal region that sent representatives?

A. Lehigh, Schuylkill, Carbon, and Northumberland and Columbia; all those counties sent representatives to the General Council; that body is composed of thirty-one or thirty-two members.

Q. Is there any salary attached to your office?

A. I don't know whether that would be pertinent to the question; I don't think I would have the right to ask you how much money you get for attending to this case.

[Question repeated.]

A. I got no salary.

[Question repeated.]

A. No, sir; I got no pay as president of the General Council.

Q. Do you get any pay in New York?

A. I get paid by the people of Centralia when I go to the General Council—\$3 a day and expenses; if I neglect my business they pay me.

Q. Are these delegates elected by ballot?

A. My recollection is that they are.

Q. You have stated that there was a suspension ordered by reason of their not paying sufficient wages?

A. I think that is right.

Q. At the time that strike was ordered what wages were paid?

A. I have just stated that the wages paid to my recollection, in our section, ranged from \$8 50 to \$13.

Q. Do I understand you to say that a miner who was working by contract only got \$8 50 to \$13.

A. I did not say that.

Q. Do I understand that the highest grade was \$13 a week?

A. No, sir.

Q. You are speaking only of the laborers?

A. I am, and of certain miners.

Q. Tell us what classes of men were receiving from \$8 50 to \$13 per week?

A. Outside laborers; inside laborers, starters and miners on day's wages.

Q. What were those working by contract making per week on an average?

A. They averaged according to the position of the men; if a man had a good place he would make good wages.

Q. What was the average in December?

A. My own would average, perhaps, \$65 or \$70 a month.

Q. How many days did you work for \$65 or \$70?

A. I cannot tell you; I think I worked most of the month; I am making, perhaps, \$800 or \$900 a year; to make that I work, perhaps, seven or eight hours, and, perhaps, nine hours a day; it is very seldom that we work nine hours, though.



Q. How long does one have to work in the mines before he becomes a successful miner?

A. Some never become successful miners.

Q. Do not the wages depend very much upon the skill of the man who takes the coal out?

A. It makes a great deal of difference whether the boss is his friend or not.

Q. Does it not depend very much upon the skill of the miner whether he makes more or less wages?

A. Not at all times; the best skill is baffled sometimes by a wet place or a difficulty in the vein.

Q. Does the skillful men make more than an unskillful one?

A. If he works more he does; if the skillful man is stronger and has a stronger constitution he will make more money.

Q. If a skillful man with the same amount of muscle and strength and as good constitution as an unskillful man, works for the same amount of time, would he make more than an unskillful miner?

A. I believe he would.

Q. Do you know of any restrictions that have been put upon those working in a colliery, by the W. B. A., or any branch or member of it, to prevent any given number of tons being taken out, or one man making more than——?

A. There was no restriction in our section.

Q. Do you know of any as president of the association?

A. No, sir; not as president.

Q. Well, not as president, have you any?

A. I have a slight knowledge.

Q. Tell us what knowledge you have of this kind?

A. I believe I have already stated that no member is allowed to do anything contrary to the morals of the public. We at one time put a restriction upon a man working more than the hours required by the State law—more than ten hours. We have men who would work a large number of hours and make a large amount of money for a little while, and then lay off and their families would be a burden to our association; to prevent that we passed a resolution prohibiting men from working more hours than are required by law.

Q. Was it for the purpose solely of seeing the laws of the Commonwealth enforced that you established that rule?

A. I cannot say what the purpose of the resolution was; I did not offer it; I cannot state whether it was intended to cover more than that; my belief is that it was not intended to do anything more than to prevent men working more than the regular hours.

Q. Do you know of any rule being enforced by any branch or district, or by the association, so as to restrict the number of tons of coal taken out in any one day outside of this rule?

A. No, sir; in our section we did not work by the ton; we worked by the yard.

Q. Do you know in your section of there being any restriction upon working any number of yards?

A. The one I have named is the only one I know of.

Q. Have you any rule or do you know any introduced by the association to limit the number of yards to be taken out in a day?

A. Not in our section.

Q. Do you know whether the laborers are restricted from loading above a certain number of cars a day?



A. Not in our section of the country.

Q. Do you know of that rule existing anywhere where the association has control?

A. I have never worked anywhere else.

Q. You have produced certain cards here; what do you call them?

A. Black lists, in our section.

Q. Where did you get them?

A. In Centralia.

Q. Who from?

A. I decline to answer that question.

Q. You have brought them here as evidence, and said they were issued by operators; I want to know from whom you got them?

A. Sooner than I would tell who gave them to me I would withdraw them, because I am under strict obligations not to tell where I got them; I cannot answer, because the person who gave me the cards is in the power of the operators; he has got a good position, and I promised him, on the honor of a man, that I would not tell how I got them, and not wishing to be held in contempt by the committee, I would go to jail before I would answer.

Q. You were speaking of certain rules of your association. If a man has been expelled from the association will other members of the association work in the same colliery with him?

A. They will not work with a contemptible member.

Q. If he has been working for wages below what you think he ought to get, can he be tried for that?

A. I never saw a man tried for that.

Q. What are the offences for which a man may be suspended or expelled?

A. Drunkenness, fighting and quarrelling, or if he is convicted of a felony.

Q. Suppose he does not pay his dues?

A. If he persists in not paying his dues, after being notified, he is expelled.

Q. If a man fails to pay his dues and is expelled, will the members of the association work in the same colliery with him?

A. I don't know; we never expelled any one where I reside; we never had cause to expel them.

Q. Do you know of any causes where the men have been expelled for non-payment of dues where members of the association refused to work in the same colliery with them?

A. I do not.

Q. You said that you were elected president—how is that election conducted—by ballot?

A. Yes, sir.

Q. Are the delegates to the General Council elected in the same way?

A. I don't know; they are elected by ballot where I reside.

Q. Do you know of any notice being given by the association in your own part of the country for collieries to stop, or for the men engaged in them to stop?

A. There may have been such notices; I cannot recollect any part now.

Q. Do you know whether resolutions have been adopted with the men who belonged to your association shall cease working in any colliery?

A. I cannot remember such a resolution being passed in the immediate district where I reside; I am not a regular attendant at every meeting of our district.



Q. Within the last year or two do you know of any resolutions being adopted of the purport I have mentioned?

A. I do not.

Q. Do you know of any collieries that have been stopped in pursuance of such resolutions?

A. I know of no collieries stopping in obedience to the order of the General Council or the branch.

Q. How often have collieries been stopped by order of the General Council within your knowledge?

A. I think twice within my knowledge; I was present at a meeting of one branch where a resolution was passed, by a most unanimous vote of the people, that they would not work until a man was taken back who was discharged; he was discharged because he told the boss that he kept him in too long, and was demanding more hours of labor than the law required.

Q. Were you present at this conversation that took place between this man and the boss, so as to know that that was the reason for the discharge?

A. I was not far away; I heard the conversation between this man and the boss.

Q. And that was the reason of the discharge?

A. Yes, sir.

Q. The branch resolved that the employer must take this man back or they would stop work?

A. No, sir; it was not put in that way; it was put in such a way that if he would not let him quit for ten hours he should pay him over-time.

Q. Was that the only stoppage of that colliery when they stopped for a reason of that kind?

A. The only one I can recollect.

Q. Is that the only case that your branch took action as to the differences between any member of the branch and the employer?

A. We have taken a great many actions as to the differences between the men and employer.

Q. What were those actions?

A. They were such actions as did not interfere with the work of the colliery, and were settled.

Q. This which you have mentioned was the only case where the colliery stopped?

A. The only one I remember.

Q. Since you have been a member of the association do you know of the suspension of a large number of the members of the association who were working in the upper region—the Wyoming region?

A. I have a recollection, but I don't know that I was present at the meeting when they suspended, but I know such suspension took place.

Q. Do you know these members were all suspended?

A. Yes, sir.

Q. What was the reason for that suspension?

A. Not complying with the laws of the council.

Q. Was it permissible for any member of the association to work in the same colliery with any of those who had been suspended?

A. Oh, yes; they did work there.

Q. What was the violation of the law of the council for which these men were suspended?

A. I cannot remember any exact violation of the law, but I think the resolution read that they were suspended for not obeying the laws of the General Council; the offence was not named.



Q. Do I understand that in your association you can cut off a large number of members without specifying the offence charged?

A. I did not say that; I have given the purport of the resolution.

Q. Have you any personal knowledge of what particular law was violated by these men by which they were suspended from membership?

A. No, sir; I may guess the reason.

Q. Have they been restored to membership?

A. They have, after asking for admission.

Q. Was the reason for which they were suspended then done away with?

A. I suppose so, or they would not be accepted.

Q. Were they restored under your presidency?

A. I think it was before?

Q. Did you occupy any office in the association at the time they were restored to membership?

A. I don't think I did.

Q. Were you a delegate to the General Council at the time that the restoration to membership was effected?

A. I was.

Q. Don't you know, from being a delegate at the time, what their offence was, and what the cure was?

A. I am not certain at which council they were re-admitted; they might have been admitted at either of two councils; I may have been absent when they were admitted.

Q. How can we ascertain what violation of law was committed by these people?

A. The minutes of our association will show.

Q. Would they show the offence for which these men were cut off?

A. I think so.

Q. Who has charge of those books?

A. Our present secretary's name is A. Reese.

Q. Were you a member of the General Council at the time the general suspension was directed?

A. I was.

Q. Did the delegates in that council from Schuylkill vote against that?

A. They did; I think all of them.

Q. Were they dissatisfied with their wages at the time the suspension was ordered, or were they overborne by the delegates from another part of the country?

A. Where I work we are classified with the Schuylkill region, and we are governed by them; I know the people in our section were dissatisfied because the wages were continually reduced, so that they could not earn a livelihood; when we ceased work there was a good many men in debt on the store books, and they had been working four months in succession.

Q. Was that indebtedness because of the low wages they were getting or because of the four months' idleness last year?

A. I think by both combined; if they had not been idle for the four months they would not have been so much in debt.

Q. If one who had been working at the usual rate of wages all through 1870, would he have been in debt at the end of the year, if he was a frugal man?

A. It would depend upon his family and the work.

Q. I will take you as a model; suppose you had work all the way through 1870, at the wages you could have earned, would you have been in debt at the end of the year?

A. No; you must remember that I earn more money than the majority



of men in the coal region ; I work by contract, and had other ways of getting money.

Q. Taking the laborer who had worked at a given amount of wages during 1869, he being a frugal man, and working through 1870 at the same rate of wages that he received for any month that he did work, could he not live ?

A. No, sir ; he could not ; at the wages we received in 1869, and with a family to keep, he might earn enough to sustain them, but he could procure no clothing nor comforts.

Q. If the operators paid those who worked by contract less, could they not then afford to pay the laborers more ?

A. We have offered that and it has been rejected ; I made the offer, myself, to Mr. Gurrill.

Q. What did you offer to him ?

A. My offer was to leave all laboring work, and what is known as narrow work, at the basis of 1869, on the \$3 basis, and to reduce the contract work 15 per cent. He said it was the best offer he had heard yet, and that it was the most sensible thing he had heard yet, and was sorry he could not accept it ; he said the way things stood he would rather pay the \$3 basis until such time as they could regulate wages in Schuylkill ; he said they were put in such a position by the Reading railroad company that they had to be governed by them ; he said : " Frank Gowen has the say now—the association had the say before." I told him I was sorry he could not accept it and let us go along on it, and that I had a hard time to get it passed and it was bad after all my trouble to have it rejected ; he said he was sorry, but under the circumstances he would sooner pay the 1869 basis ; Mr. Gurrill is an operator.

Q. Were you at Pittston when the General Council met there, and do you know of any refusal to allow certain collieries to work so that the furnaces in the Lehigh valley might be supplied with coal ?

A. I think some action was taken ; I cannot hardly remember what it was.

Q. Were you present at that time ?

A. Yes, sir.

Q. Do you know whether there was action taken so as to refuse these collieries permission to work so as to supply those furnaces.

A. My impression was that they would not say anything about giving them permission.

Q. Could your men work without that permission ?

A. I believe they could.

Q. Did you pass a resolution that the members of the association should not work at those collieries ?

A. I don't know whether it was passed in that way or not ; my recollection is that they would not say they should not work ; there was a request by some iron men, and they took action, I think ; I will not say positively what kind of action it was ; I think it was a request.

Q. What was the request ?

A. I could not say now ; I was not present.

Q. Did you vote upon this very question about which I am asking you ?

A. We did not vote by ballot.

Q. Did you vote ?

A. I think I did ; very often I did not vote.

Q. What was the request ?

A. I think the request was made to the workingmen for coal ; it was a request to miners for coal ; I cannot remember the exact words.



Q. Was it a request that your members might be permitted to work in certain collieries so that the furnaces in the Lehigh Valley might be supplied with coal?

A. That might be; according to my belief these gentlemen asked for permission to get coal.

Q. Is that the whole truth with regard to the question?

A. Yes, sir; it is.

Q. What action was taken by the council upon that request?

A. I could not state.

Q. Was the request granted or refused, or was it laid on the table?

A. If I remember right the paper was returned to the gentleman who presented it.

Q. Did the collieries go to work?

A. I don't know; I never saw them.

Q. Were you present at a meeting of the branch at Centralia when a resolution was adopted insisting upon Mr. Gurrill taking back a man who had been neglecting his work on account of drunkenness?

A. No, sir.

Q. Do you know of your own personal knowledge whether that man was discharged for drunkenness, and whether action was taken by the branch in relation to the case?

A. I do not.

Q. Do you know whose hand-writing this is?

[Paper shown witness.]

A. No, sir.

Q. Do you know any thing about the passage of that resolution or anything about that paper?

A. I know nothing of that transaction.

Q. At the meeting at Pittston, did G. W. Pomeroy & Co. ask to run their colliery for the purpose of supplying Atkins Bro. coal?

A. I think I heard Atkins's name mentioned there; I don't remember the name of Pomeroy.

Q. Do you know whether there is a firm called G. W. Pomeroy & Co.?

A. I do not.

Q. Do you remember voting upon a question in which Atkins Brothers were concerned?

A. The name of Atkins, I think, was mentioned there in connection with a paper.

Q. Was that request or any similar one granted by the council?

A. I cannot say.

Q. Do you know whether any consent was asked for by any operators that members of the W. B. A. should be permitted to go on with the work in their collieries?

A. I don't know, of my own personal knowledge, of a case where an operator asked that the members be allowed to go on.

Q. Was there any communication sent any of the council asking permission that the members should go to work in collieries?

A. Those two communications are all that I remember being read or heard of in that council.

Q. The request, whatever it was, was not granted?

A. I did not say that; I said the paper was respectfully returned.

Q. Is that granting or refusing to grant a request?

A. I don't know what you would call it.

Q. Was the consent granted?

A. I have no recollection of what action was taken.



Q. Was it not granted?

A. I could not say positively whether it was or not.

Q. Do you remember whether an application was made by Thomas Rickert similar to that I have been questioning you about?

A. I do not; I never heard the name mentioned there.

Q. When was that General Council held?

A. I could not name the days.

Q. Was there not one on the first day of February?

A. Yes, sir.

Q. That is the one about which I am speaking, and you were present; and I have been asking you about transactions that took place just so short a time ago?

A. You bring the meeting at Pittston and that one together.

Q. Was there any meeting of the General Council at Pittston on the 1st of February, 1871?

A. No, sir; my recollection is that the meeting was in December; I would not be positive; I was at the last meeting of the General Council in Pittston; I think it was in December; I may be mistaken as to dates.

Q. Were you at the meeting of the General Council when a resumption of work was ordered?

A. Yes, sir; I think it was in December or January; I could not say which; it was after the strike commenced; I cannot swear as to the date; to the best of my recollection it was about three weeks after the general suspension, which occurred, I think, on the 10th of January.

By Mr. Hall.—Q. Was there a resolution passed at that meeting of the council ordering a general resumption?

A. Yes, sir; at a meeting in Pittston.

Q. Was it at that meeting that these requests were presented to the council?

A. I believe it was.

By Mr. Lamberton.—Q. If your General Council orders a suspension, what is the penalty imposed upon any one who works for the support of his family after such order has been issued or such resolution adopted?

A. They have done so and there was no penalty attached; they have worked after the General Council has ordered a suspension and no penalty was imposed upon them.

Q. Are your members permitted to work in the same colliery with those who are not members of the association?

A. They are permitted to work but they are not permitted to be members of the association?

Q. They must cease to be members of the association?

A. Yes, sir.

By Mr. Hall.—Q. I understood you to say that you would have made \$800 or \$900 a year if you worked continuously. I suppose you mean that out of that you would have kept your family?

A. Yes, sir.

Q. How large was your family?

A. A wife and three children.

Q. If you earned \$800 or \$900 a year, would you then get more than the average workman would get in the coal mines?

A. Far more than the majority would get.

By Mr. Petrikin.—Q. How many members are there in your organization?

A. The last estimate was in the neighborhood of 35,000.

Q. Are they confined entirely to the anthracite region?



A. They are.

Q. None in the bituminous region?

A. We have not enumerated any in the 35,000.

Q. In time of strikes do the members of your association, when not at work, receive any money out of the contingent fund.

A. In our district we have supported families since the second week of the suspension, out of the contingent fund.

By Mr. Hall.—Q. Is there suffering in that region?

A. There is extreme suffering from want and starvation all over the region I come from; they are in extreme want.

Q. What are they living on?

A. I cannot say; I have heard assertions.

By Mr. Brockway.—Q. Since the formation of the association have you ever known an advance for contract work, without asking an advance on the day work?

A. I have never known an advance upon contract work without an advance upon day's wages also.

Q. Are not your men frequently compelled to suspend labor because of the mines being flooded, and on account of breakage or damage to machinery?

A. Yes, sir; one colliery has been burnt down recently, and the men thrown out of employment—I suppose some 250.

By Mr. Lamberton.—Q. What are the dues paid to the association?

A. Each member pays 25 cents.

Mr. Hall offered in evidence charter of the W. B. A., act approved 11th March, 1870; Pamphlet laws of 1870, pages 399 and 400.

Adjourned until 8 o'clock this evening.

#### EVENING SESSION.

Committee met at 8 o'clock.

James Kealey, re-called by Mr. Lamberton.

[*Anthracite Monitor*, dated February 11, 1871, purporting to contain the minutes of the meeting of the General Council W. B. A., held at Pittston, January 31st and February 1st, 1871, shown witness.]

By Mr. Lamberton.—Q. Will you look at these minutes, and especially at the afternoon session, and say, according to the best of your recollection, knowledge and belief, whether that is a correct account of the proceedings, so far as it relates to that particular subject?

A. That is correct, according to my recollection.

[Mr. Lamberton read from the paper as follows:]

“The communications from the Parryville and Lehigh valley furnaces, and one from the L. V. R. R., were taken up, and, after a lengthy discussion, covering every feature of the question, the council decided that, under the circumstances, we do not deem it expedient to grant the requests therein made. The communications were respectfully returned with the above decision.

“Communications were also presented from G. W. Pomeroy and the West Lehigh colliery, asking the association to allow its members to work their respective collieries, to supply certain furnaces with coal. Respectfully returned with the aforementioned decision.”

Witness—The last paragraph is what I remember, according to my knowledge and belief.

Adjourned until to-morrow at half-past two o'clock P. M.



FRIDAY, *March* 24, 1871.

Committee met at half-past two o'clock P. M.

Present—Messrs. Davis, Deckert, Petrikin and White.

Mr. Hall presented testimony of Franklin P. Drinker, taken by agreement of counsel.

Franklin P. Drinker, affirmed.

Examined by C. B. Brockway.—I reside in Bloomsburg, Columbia county; I am clerking for the Bloomsburg iron company; I attend generally to the coal and iron shipments; one of our furnaces is in blast and one has been out since fall; since January 1, we have got ten cars of coal per day for a part of the time from Hutchinson, at Kingston, and five cars per day from Shickshinny; we get it over the Lackawanna and Bloomsburg railroad company; the railroad company call the distance from Shickshinny to Bloomsburg 24 miles; we pay \$2 20 freight per ton from there since February 20, 1871; before then we paid \$1 00 per ton; they charge us the same from Kingston, which is about 38 or 40 miles from Bloomsburg; we get our limestone from Upper Lime Ridge over the same road; it is six miles from Bloomsburg; we pay 25 cents per ton; we get it on our own cars; we send our pig iron to Rupert in summer by the canal, and in winter haul it in wagons; we find it cheaper than sending it over the Lackawanna and Bloomsburg railroad company; the railroad company charges 40 cents per ton from Bloomsburg to Rupert; the distance is about two miles; these rates seem unreasonable, but at Rupert the company have considerable shifting; our company is not satisfied with these rates but have never made any complaint; we now pay \$1 25 at the colliery, about more for coal per ton than before the raise in freights.

Cross-examined by J. Brisbin, Esq.—The coal is transported in cars belonging to the company; Charles R. Paxton is president of our company; I have been employed by the company (iron company) from fifteen to twenty years; we paid, previous to May, 1870, or thereabouts, thirty cents per ton for transporting limestone; the limestone is weighed at the furnace; the charge is based on what a car is assumed to carry; the actual weight is, on the average, greater than the assumed weight; the car is assumed to carry five tons; they average, I think, five and one-fourth tons—fully that; by a ton I mean 2,240 pounds; I think it was an understanding between Mr. Bound and Mr. Paxton that the railroad company should receive twenty-five cents per ton for the transportation of limestone, it being assumed that the car contained but five tons; the price of coal at the collieries was not increased before the raise of freight; we think the increased price of coal at the collieries was in consequence of the suspension; the company has always charged the same rate from Pittston, Plymouth and Shickshinny; it is about forty-nine miles from Pittston to Bloomsburg; we would average to Rupert twelve cars of iron per week during the year; a four horse team will haul four loads per day, and take from ten to twelve tons per day; we pay \$4 00 per day per team of two horses; a four horse team, I think \$6 00; in my judgment it would not be an object, pecuniarily, for the company to haul our iron at such rates as they now charge; I think they don't want to haul at *any* price; the cars would be detained about one day in loading; about twelve hours in unloading.

Re-examined.—I did not hear Mr. Paxton say he had agreed to the charges of the railroad company.

F. P. DRINKER.



Mr. Hall read a letter from John E. Rathbun, addressed to the W. B. A., as follows :

TREVORTON, July 5, 1870.

*To the Workingmen's Benevolent Association :*

I received, yesterday, a circular from the Reading railroad company, announcing an advance of tolls equal to \$1 30 per ton on all coal sent over their road, to take effect on Friday next, the 8th inst.

This advance will compel me to suspend my colliery, as I can sell no coal with this advance added. If no change occurs before that time I must shut down on Thursday night.

JOHN E. RATHBUN.

Richard Williams, called by Mr. Hall, being duly sworn, testified as follows :

Direct examination.—I reside at Hazleton, Luzerne county ; am a miner ; have been working at the coal business in the neighborhood of 40 years ; I heard Mr. Kealey's testimony here ; to the best of my knowledge his testimony in relation to the W. B. A. is correct ; they pay \$5 a week during sickness and \$50 at death ; I have been a member of the association two years ; the operators had associations in our district before ours was organized ; they were formed a long time before ours ; they were formed to protect their interests, antagonistic to ours ; on Dec. 10, 1870, we were notified by the chairman of the Board of Trade that they could not pay us the \$5 basis any longer ; the operators had a black list ; I remember their fixing the wages of laborers, irrespective of the price of coal, in 1861 and 1862.

Cross-examined by Mr. Gowen.—There might have been a change when the war commenced ; that low rate might have been established in 1859 or 1860 ; I am not sure which ; I never heard of the operators breaking up during those years ; I have been living in the Hazleton region about thirteen years ; I saw the black lists hanging up in the different offices of the operators of the mines ; I am president of the branch there ; am 56 years old, and was brought up as a miner since I was able to work ; I am now a member of the Legislature of the State of Pennsylvania.

Q. It does not look as if it was a very undignified position to be a miner, if you have assumed such a position—you are not much down-trodden ?

A. No, sir.

Q. Your health is good ?

A. Yes, sir.

By Mr. Hall.—You might have looked ten years younger at least if you had not been at this business so long ?

A. Yes, sir.

By Mr. Gowen.—Q. Did not the Lehigh operators pay the \$5 00 basis in December ?

A. Yes, sir.

Q. Did not they pay in January \$5 50 ?

A. Yes, sir ; to the 10th of January, but it was perfectly well understood that the contract expired on the 10th.

Q. In January, as long as the work lasted, until the suspension was ordered, it was \$5 50 ?

A. Yes, sir.

By Mr. Hall.—Q. Do you remember the time when there was a terrible system or reign of terror, or whatever you choose to call it, in the coal regions ?

A. I shall remember it as long as I live ; for a long time in the Hazleton



region they had a very bad system; they paid us all in store goods; of course, some who were a little honorable paid \$5 or \$10 a month in cash; in some places they charged extraordinary prices for powder—more than we could purchase it for ready cash; it was no use for a man to speak above board to any of these gentlemen, because he knew it was immediate death or discharge, and then he might look in some other quarters for employment; under these circumstances the men got so low that this mob of about 100 armed men would go at night with their muskets and notify all the places not to work; they carried it on until this organization was formed.

Q. What was the effect of this organization in that region?

A. It did away with the reign of terror.

Q. Did you ever work for George Markle?

A. Yes, sir.

Q. What did he pay?

A. I commenced working in November and I was paid in July the following year; he lost the key of the safe, and there was no money circulated during that time; that was the system of payment.

By Mr. Petrikin.—Q. When was this that these armed men went out at night?

A. In 1856 and 1857 I think.

Q. There were other organizations before this was established?

A. Oh, yes; this is not the same organization; any man can come to us at any time but he must not betray his fellow-men.

By Mr. Gowen.—Q. What year was this that you commenced working and did not get paid until July?

A. I believe in 1859.

Q. Did you work all the time from November until July?

A. Yes, sir; but the work was very little; I believe the portion coming to me was only \$50 or so.

Q. You got something on account?

A. Yes, sir; molasses and calico, &c.

Q. Did he make money?

A. I believe they commenced with a capital of \$60,000; in 1864 or 1865 that capital was watered, and they called it \$500,000, and at the nearest calculation that I can make, that gentleman made sometimes during the war 300 per cent.; I should like to find the same job myself.

Q. That was the Mr. Markle examined here?

A. Yes, sir.

William Waters, called by Mr. Hall, being duly sworn, testified as follows:

I am a member of the W. B. A.; have been a member for about two years; I heard Mr. Kealey's statements yesterday in regard to the W. B. A.; to the best of my belief it was correct; I have been a member since November of a committee that was in the habit of meeting with a committee, of which Mr. Kendrick was one, when he represented the interests of the Board of Trade; our committee represented the W. B. A.; in November, 1870, I understood that the tolls from Port Carbon to Philadelphia, on the Reading railroad, were \$2 08; Mr. Kendrick did not say anything to me at that time about those tolls being exorbitant; in answer to a question of mine, he did say, to the best of my recollection, as follows: It was on the 24th of December, he being chairman of that committee or a member of the committee; to the best of my knowledge I asked him if he did not consider it an extortion, in fact amounting to tyranny on the part of the Reading railroad to charge them, as operators, such heavy tolls as they



were charging them at that time; Mr. Kendrick answered me and said: "That is the light we take it in."

Q. You have heard the paper read which has been called a proposition or recommendation for adjusting wages for 1871; I wish you to state whether the proposition was adopted by the W. B. A. of Schuylkill county?

A. It was not; I know George W. Cole; he was in the habit of meeting us; I did not see him when he was examined here.

Q. State whether you had a conversation with George W. Cole, on the 29th of December last, and whether he said anything about having to suspend unless you did?

A. He said: "If you will not suspend we shall have to suspend."

Cross-examination.—I live in Ashland, Schuylkill county; have been on a committees of the W. B. A. once before; I presume this conversation I had with Mr. Cole was after the W. B. A. had ordered a general suspension on the 29th of December; I don't remember the date when the general suspension was ordered; I know by hearsay that it was ordered to commence on the 10th of January; I presume the order had been promulgated, but I have no evidence of the fact; I believe the order had been promulgated before this conversation with Mr. Cole.

James Ryan, called by Mr. Hall, being duly sworn, testified as follows:

I reside Mahanoy City; my business is a miner; I have been a member of the W. B. A. for over two years; the proposition for the adjustment of wages for 1871, which was recommended by Mr. Siney, was not adopted by the W. B. A. of Schuylkill county; on the 29th of December, 1870, I was one of the committee that met the committee of the Anthracite Board of Trade in Pittston; Mr. Kendrick said that if we would not suspend they would have to suspend.

Cross-examination.—This was after the suspension had been ordered; I signed that proposition; we submitted it to our people and were governed by them afterwards; I thought perhaps it might be right if they said it was; I went to see Mr. Gowen about it.

Q. Were you not then under the impression that there would be no trouble about its being accepted?

A. I didn't know anything of the sort.

Q. Was not that your impression?

A. No, sir.

John Foley, called by Mr. Hall, being duly sworn, testified as follows:

I reside at Mount Carmel; am a miner and have been for twelve years, and have worked about the mines for twenty years; I heard the statement of Mr. Kealey yesterday about the association; it is correct so far as my judgment goes; I am a member of the association; I heard Mr. Eastwick's testimony; immediately after the murder at Mount Carmel, to which I referred here, our district called a meeting, and at that meeting we offered a reward of \$500 for the arrest and conviction of the party or parties who committed it.

C. J. Foley, called by Mr. Hall, being duly sworn, testified as follows:

I live at Danville; have lived there about 25 years; am a member of the National Labor Union; I heard Mr. Beaver's testimony; I am assistant secretary of the local union and recording secretary of the Grand Lodge; the union at Danville, to the best of my knowledge, numbers between 2,400 and 2,500 men at present; I was one of the committee sent by Mr. Beaver to the miners for the purpose of making some arrangement; had a conversa-



tion with Mr. Beaver before I went; I asked him the question whether there was any differences between himself and the men about wages; he told us we could tell them he was willing to pay the basis we were working upon then, and pay whatever was settled upon by the General Council afterwards; that wages were no object to him and that he wished the coal; we went to see the men, and in conversation with them we found they were willing to work and would resume in a few days; we went back and made report to Mr. Beaver; he seemed pleased with it and said he thought it would be a great benefit in the future; the furnaces went on until the raise of tolls, and then they had to blow out; I had a conversation with Mr. Michael Groves last Saturday; he is an iron man; I asked him if he was going to work again; he stated that so long as the tolls kept up he could not put his furnaces in blast—it would not pay him; he could not afford to pay the tolls; his furnaces are not running now.

Cross-examined.—I was at the Kingston colliery; the men did not mention any basis; I don't know that they asked to be paid on the \$9 50 basis at Elizabethport; we made report to Mr. Beaver that we would have coal enough in a few days; we did not, because the tolls were put up; I don't know that the colliery stopped because the tolls were put up; I believe the reasons were that the furnaces were blown out shortly after; I heard Mr. Beaver say that he offered the \$9 50 basis and they refused; I think it was the 4th of February that I went up to that colliery; the tolls on the Lackawanna and Bloomsburg road were put up about the 20th of February.

H. S. Hallernan, called by Mr. Hall, being duly sworn, testified as follows:

I reside at Danville; I know Mr. Markle, partner of Thomas Beaver; had a conversation with him on the 20th of February, 1871; he spoke to me in regard to freights on coal and the scarcity; he told me that it was an imposition upon the public; he told me they would have to blow out their furnaces, and did blow out; from 1,500 to 2,000 persons were thrown out of employment by stopping the different furnaces and mills; there is great suffering in our region at the present time; men are suffering from the want of bread.

Cross-examined.—My business is blacksmithing; I had this conversation with Mr. Markle after the 20th of February; some of the furnaces had blown out before that; two, I think, were blown out before this conversation.

Neil P. Johnson, re-called by Mr. Hall.

I have worked for Mr. Markle; I worked for him from the spring of 1858 up to the suspension; my name is signed to a paper given in evidence; I acknowledge the paper; that notice was caused by his wanting to break our agreement—an agreement we had with him in writing; in our agreement we were allowed forty-eight feet for a ton of coal, and he wanted more, and the men would not agree to it.

Cross-examination.—I am president of the Jeddo branch of the W. B. A.

Thomas Mullery, called by Mr. Hall, being duly sworn, testified as follows:

Q. Who signed that paper?

[Paper shown witness.]

A. Mr. Detmold.

Q. It states the agreement made between him and the men?

A. Yes, sir.



Mr. Hall offered in evidence, and read the following clause from the paper :

"It being understood that \$5 per ton of coal in market, or  $88\frac{1}{2}$  cents per drift, from No. 5 slope, (and from the other slopes in proportion,) shall at all times be considered the minimum price at which operations shall be continued ; and below that all mining, preparing and shipping of coal shall be stopped."

Mr. Hall closed with the exception of offering certain documents, including a statement of the freight tariff on the Reading railroad on coal, the charter and supplements of the Reading railroad company, the by-laws of the W. B. A. and Anthracite Board of Trade, and the National Merchant Union.

Mr. Gowen said he would close this testimony next Tuesday afternoon in one hour.

Adjourned until Tuesday at four o'clock P. M.

TUESDAY, *March* 28, 1871.

Committee met at four o'clock P. M.

Present—Messrs. Davis, Dechert, Petrikin and White.

Henry L. Cake re-called for the cross-examination by Mr. Gowen.

Q. I notice in the opening of your examination before the committee that you spoke of wanting to be careful of what you stated, for the reason that you understood that efforts had been made to drive you out of the coal business?

A. Yes, sir.

Q. Do you mean that any railroad company, or the Reading railroad company, had ever intimated anything of that kind?

A. No, sir; it did not come from any railroad company; it came from the operators who were antagonistic to me; the impression created upon my mind was that they were to use influences with the railroad companies; I had nothing tangible.

Q. You spoke of a discrimination by the Reading railroad company in reference to coals, and you mentioned Millersburg coal and your own coal?

A. Yes, sir.

Q. Is not Millersburg an entirely different region, and does not that coal come over a different route?

A. I can tell where the misapprehension occurred; I stated that our usual route was by way of Port Carbon to Richmond, about 106 miles, but on account of the very small amount of coal going to market in that direction they were not working the plane, and it took a longer route to Tamaqua; I stated that our coal, which might go by the 106 mile route, was charged the extra amount by way of Tamaqua, but that the other coal, the Lykens valley that came from Millersburg, was carried through Harrisburg; I did not complain of the amount that the Reading railroad charged, but I complained of the discrimination.

Q. It was not coal from the same locality?

A. No, sir; it was the Lykens valley coal.

Q. Do you know of any discrimination, whatever, in reference to the Schuylkill or Shamokin, or any of those regions, by the Reading railroad, excepting the results of some contracts with the Mine Hill railroad company?



A. I don't know that; I said that a gentleman did tell me that there was something queer about another colliery; they insisted upon the name, and I gave Mr. Freck's; a gentleman named Spofford told me that Mr. Freck was selling his coal at a price that little more than covered the amount of tolls that was charged upon ours at Richmond; he said Mr. Freck paid the tolls, and other circumstances made it look as though it might be a discrimination; I don't say that there was, but I heard there was something of that kind; I don't know the fact.

Q. Can you, at your colliery, sell coal at a profit at \$2 50 when you pay the \$3 as a minimum?

A. Yes, sir; on the Gowen modification.

Q. Would you, as an operator, feel like stopping your colliery when coal was bringing \$2 50 if you had the Gowen compromise in force?

A. No, sir; I could sell coal at \$2 50 with that; when the basis of 1869 was in operation we never thought of stopping when certain classes of coal brought \$2 50; as long as it averaged above that we were willing to go on.

Q. Is it not perfectly feasible for a good colliery like yours, working upon the Gowen compromise or the \$2 50 basis, to produce coal and sell it at \$2 50.

A. Yes, sir; I think at that figure an average colliery could get along; but there are collieries in Schuylkill county that could not work.

Q. Could not yours?

A. Yes, sir; I do not want any better business than at that rate.

Q. Do you know any reason why, if it is a good business at that rate, the consumer should be forced to pay fifty cents a ton more for it?

A. There is no good reason; there might be times when the consumer could get it at less, and he might be compelled at times to pay \$3; I don't think the price of coal has fluctuated so much as the tolls and freights; 50 cents is a good deal of margin in coal.

Q. You have seen coal sell at \$2 at the mines?

A. Yes, sir.

Q. And at \$7?

A. I don't think I had much to do with coal that sold at \$7; I desire to state to the committee that in my first examination, among other things, I stated that in conversation with a gentleman he stated to me that the impression had been created, or was created, or would be created, that there would be an early resumption, and that prevented parties from buying our coal; I met him since, and talked it over, and he says that what he did say was that the impression that there would be an early resumption would prevent our selling our coal; Mr. Lamberton insisted upon the name and I gave him the name of Benjamin Thomas; I think my statement was that he said that the impression had been, or would be created, that there would be an early resumption, and so prevent parties buying coal.

Q. What is your opinion as to the price that coal would realize if work was commenced on the 1st of April, for the next three months?

A. I do not think it would be advisable for an operator to undertake to mine coal above \$3, and I don't think such a state of affairs could be brought about, to bring it under \$2 50 this year.

Q. If you could run your colliery six months out of the year you would take \$2 50?

A. I would take that at the breaker.

Q. For all sizes?

A. I don't know that I would be willing to start to-day; I would be willing to commence on the 1st of January and run through the year; my experience is not altogether gathered from the mining of coal; I have been in the manufacturing business.



J. M. Freck, called by Mr. Gowen, being duly sworn, testified as follows:

Q. You have a colliery at Centralia, shipping over the Mine Hill railroad to Schuylkill Haven?

A. At one time we shipped that way; latterly to Port Carbon.

Q. You have been shipping lately?

A. I am shipping now.

Q. State whether you have had any private drawbacks, or promise or agreement of any kind, which refers to the tolls of the main line from Port Carbon down—what rates have you paid?

A. I have no rates on the long road, and never did; I deliver my coal at Tamaqua at present; I pay the lateral tolls to Tamaqua; at Tamaqua the consignee pays it.

Q. Have you any arrangement whereby the consignee gets any benefit on the main line on your coal?

A. No, sir; we never had any; never asked for any.

Q. Your colliery had a contract with the old Mine Hill road?

A. Yes, sir; but the Reading road leased it.

Q. State what the rate was that they were to charge you?

A. The agreement, I think, was one and a-half cents a ton per mile for tolls, one-eighth of a cent for car service, to Schuylkill Haven.

Q. When was that contract made?

A. In 1862.

Q. Before the Reading company leased the road?

A. Yes, sir.

Q. How long is it to last?

A. During the time of the lease, or the renewal of the same.

Q. How far are you from Port Carbon?

A. I think it is seventeen miles; my lateral tolls are twenty-five cents.

By Mr. Hall.—Q. How much do you pay to Tamaqua?

A. Eighty-three and seven-tenths.

Q. How many miles?

A. I cannot tell; I believe it is calculated at three and a-half cents a ton per mile; I don't know the distance; I think that is the charge of the lateral road.

Q. Are you paying more than the contract prices?

A. I have no contract that way, at all; they are now taking my coal by way of Tamaqua instead of by way of Port Carbon.

Q. What were the rates on this lateral road?

A. My rates to Port Carbon were twenty-five and a-half cents per ton.

Q. Now how much?

A. Eighty-three and seven-tenths between my colliery and Port Carbon.

Q. I understand you to say that you pay eighty-three and seven-tenths for what you paid twenty-five cents and a fraction—it is for taking coal from the same point to the same point, but it takes it another way?

A. Yes, sir; instead of taking it the direct road it takes it around.

Q. It goes through the tunnel?

A. Yes, sir.

Q. Are you a shipper?

A. I am.

Q. Is there any body else shipping in that country?

A. Not in my neighborhood.

Q. How do you come to be shipping?

A. Well, I seem to be in the good graces of both parties; I am shipping by consent of the W. B. A. and the Anthracite Board of Trade.



Q. Are you paying the basis of \$3?

A. I am.

Q. Hence they are satisfied?

A. Yes, sir.

Q. And as you pay the railroad freights they are satisfied?

A. I suppose so.

Q. As nobody else has any business I suppose you are making some money and that satisfies you?

A. I have not been able to figure it up.

Q. You are the only person doing business in that neighborhood?

A. Yes, sir.

Eugene Borda, called by Mr. Gowen, being duly sworn, testified as follows:

Q. General Cake testified that you had some conversation with him about a conversation in regard to putting——, a fancy rate being put up. Give your recollection of what occurred?

A. I met Gen. Cake in New York; he asked me if I had been to any meeting; I told him, "yes;" he asked me if they would meet again; I told him, "yes;" he asked me what was done, and I told him, "nothing;" he asked me about the tolls and I told him the tolls would be up the next day on the Reading road; he asked how much; I told him it was double to Philadelphia—what was \$2 would be \$4; that was the first raise; I believe this took place on the 15th of February; it was on the 16th the raise took place; I knew it would take place, because Mr. Gowen had shown me the printed list in the morning in the cars going to New York.

Q. State whether on the road to New York to attend that meeting you did not see the printed list of advanced tolls on the Reading road?

A. Yes, sir; you [Mr. Gowen] showed it to me and several of the gentlemen; that was before the meeting.

By Mr. Hall.—Q. You speak of a printed list that had not gone into effect and that did not go into effect until the next day after the meeting?

A. It was a printed sheet—a proof sheet; Mr. Gowen told me he had got it struck off the day before and it would take place the next day.

Q. It did not take place until the next day?

A. It took place the next day; on the morning of the 15th Mr. Gowen showed me the circular and said it would be circulated that day among the operators and shippers, to take effect the next day.

Q. What you saw was the proof sheet?

A. Yes, sir; that must have been printed on the 14th.

Q. This meeting was on the 15th and you were at it?

A. Yes, sir.

Q. You heard what Mr. Gowen stated there?

A. Yes, sir.

Q. And the raise on the Reading road took place the next day?

A. Yes, sir.

By Mr. Gowen.—Q. The tolls took effect on the next day?

A. Yes, sir.

Q. What has been the custom in regard to new freights with reference to time?

A. We always get notice before they take place, at least one day.

Q. And this printed list of advanced tolls you saw in the morning at what time?

A. We left at half-past seven in the morning; I saw it in the car.

Q. You saw the rates before the meeting took place?



A. Yes, sir.

By Mr. Petrikin.—Q. Did you have another meeting after the 15th?

A. Yes, sir; there was a meeting of a committee of the different regions to compare wages; that was about wages.

By Mr. Hall.—Q. When was that?

A. It took place the next day.

Q. Did that committee fix the rate of wages?

A. They did not fix the rate of wages; they compared notes and tried to find out what the rate of wages would be in Lehigh if the basis was \$2 50 in Schuylkill.

Q. Did you fix the rate of wages?

A. We did not.

Q. You was at that meeting?

A. Yes, sir.

Q. You heard what Mr. Gowen stated?

A. Yes, sir.

Adjourned until to-morrow afternoon at three o'clock, at which time arguments of counsel are to be heard.

H. J. MASON, *Stenographer*.

## EXHIBITS.

STATEMENT of the capital stock of the Delaware, Lackawanna and Western railroad company, outstanding January 1, 1865, and of the increase since that date.

Amount outstanding January 1, 1865 .....	\$10,247,050
January, 1866, issued, (to represent earnings,) .....	1,016,550
May, 1866, issued, (to purchase property,) .....	25,000
June, 1867, issued, (paid for in cash,) .....	2,812,000
December, 1869, issued, (paid for in cash,) .....	2,000,000
August, 1870, issued, (paid for in cash,) .....	2,708,250
Outstanding December 31, 1870 .....	<u>18,808,850</u>

A. J. ODELL, *Treasurer*.

CITY AND COUNTY OF NEW YORK, }  
and State of New York, } ss:

A. J. Odell, being duly sworn, says that he is the treasurer of the Delaware, Lackawanna and Western railroad company, and that the above statement is correct, as shown by the books of said company.

A. J. ODELL.

Sworn and subscribed before me, this }  
27th day of March, A. D. 1871. }

CHAS. E. CARRYL,

*A Commissioner for the State of Penn'a in the State of N. Y.*



STATEMENT of dividends paid by Delaware, Lackawanna and Western railroad company, upon its capital stock, commencing on the 1st day of January, 1865.

Date.	Stock.	Rate.	Amount dividend.	How paid.
1865. Jan. 20,	\$10,247,050	5 per ct.,	\$512,352 50	Cash.
1866. Jan. 20,	10,247,050	10....do ...	1,024,705 00	\$101,650, stock; \$8,155, cash.
Jan. 22,	11,263,600	5....do ...	563,180 00	Cash.
July 10,	11,288,600	5....do ...	564,430 00	Cash.
1867. Jan. 2,	11,288,550	5....do ...	564,427 50	Cash.
July 22,	11,288,550	5....do ...	564,427 50	Cash.
July 22,	56,000 shs. scrip	*75 cts.	42,000 00	Cash.
1868. Jan. 15,	\$11,288,600	5 per ct.,	564,430 00	Cash.
Jan. 15,	56,083 shs. scrip	*\$1 56 $\frac{1}{4}$	87,629 69	Cash.
July 20,	\$11,288,600	5 per ct.,	564,430 00	Cash.
July 20,	56,240 shs. scrip	*\$2 08 $\frac{1}{3}$	117,166 50	Cash.
1869. Jan. 20,	\$14,100,600	5 per ct.,	705,030 00	Cash.
July 20,	14,100,600	5...do .....	705,030 00	Cash.
1870. Jan. 20,	15,927,500	5...do .....	796,375 00	Cash.
July 20,	16,100,600	5...do .....	805,030 00	Cash. [227 90, cash.
Dec. 31,	18,808,850	6...do .....	1,128,531 00	\$1,110,500, M. and E. stock;† \$16,-

\* Per share.

† Market value, 86 per cent.

A. J. ODELL, *Treasurer.*

CITY AND COUNTY OF NEW YORK, }  
and State of New York, } ss:

A. J. Odell, being duly sworn, says that he is the treasurer of the Delaware, Lackawanna and Western railroad company, and that the above statement is correct, as shown by the books of said company.

A. J. ODELL.

Sworn and subscribed before me, this }  
27th day of March, A. D. 1871. }

CHAS. E. CARRYL,

*A Commissioner for the State of Penn'a in the State of N. Y.*

*Agreement made between the coal operators and workingmen of Northumberland county, as a basis for labor in coal mining during the year 1871.*

It is mutually agreed to work for and pay the \$3 basis of 1869, with a sliding scale of 33 per cent. up and down, with the agreement on the part of the operators that they will pay the basis the first month that the average price of coal falls below \$3, but not after that.

SHAMOKIN, February 13, 1871.

(Signed on the part of the workingmen.)

JOHN FOLEY,  
JAMES T. HARRIS,  
MARK MORAN,  
MICHAEL PEPPER,  
J. M. LONG.

(Signed on the part of the operators.)

C. W. KINGSLEY,  
A. FULTON,  
A. M. MONTELIN.



## COLORADO COLLIERY—1870.

MONTHS.	No. men empl'd,	Amount earn'd,	Powder, &c.	
January.....	81	\$3,635 92	\$103 00	
February...	297	8,880 56	588 06	\$4,419 12
March.....	300	15,852 46	923 04	11,113 19
April... ..	273	3,668 96	251 40	1,011 02
May.. .....	362	16,056 51	944 45	10,757 14
June.....	450	26,896 60	1,634 55	18,201 00
July .....	409	22,561 16	1,552 12	14,297 19
August .....	455	20,599 28	1,562 50	16,065 16
September..	339	5,548 39	392 82	3,605 01
October.....	404	18,583 79	1,381 90	14,803 01
November..	348	16,354 74	1,386 80	15,111 06
December...	330	15,501 42	1,242 35	Amount paid 15,394 12—124,781.02 tons.
	4,048	174,139 79	11,962 99	162,176 80=\$40 06½ per man [per month.]

Average number of men and boys employed per month..... 337½

	Reddy & Ri- ley—wagon- work.	W. Bracy & Co.—gang- way.
February.....	\$90 75	\$196 58
March .....	141 65	318 35
April.....	51 80	30 25
May .....	157 70	279 36
June.....	260 45	163 23
July.....	230 55	105 02
August.....	145 09	185 57
September.....	29 52	50 67
October.....	14 82	215 80
November.....	87 74	185 33
December.....	105 81	148 61
Total for the year.....	1,315 88	1,878 82

Reddy & Riley, per month..... \$109 64  
Wm. Bracy & Co., per month..... 156 57

This firm employed their own laborers, and paid them out of the average of \$156 57 per month.

May, 1870—Billman & Donaldson, 8½ yards plane, 22½ yards skip=\$158 72. Nolan & Schultz, 18 yards gangway, 5 yards plane=\$194 25. W. Bracy & Co., 28½ yards gangway=\$273 36.

June, 1870—James Brady & Co., 4½ gangway, 72½ airway=\$345 00. Nolan & Schultz, 33½ yards gangway=\$232 56. Burns & M'Coy, 25 gangway=\$64 03. Amount paid workmen unknown.

July, 1870—Billman & Donaldson, 225 wagons=\$224 00. Burns & M'Coy, 20 yards gangway, 6 yards airway, 5 yards pillar=\$126 00. D. & Billman, 15½ yards gangway=\$114 00.

August, 1870—M'Gonigal & Co., 224 wagons=\$269 66. Nolan, Schultz & Co., 112 yards gangway=\$188 52. Burns & M'Coy, 29½ gangway=\$91 03.

September, 1870—Billman & Donaldson, 102 wagons=\$84 59. Nolan



& Schultz,  $15\frac{1}{3}$  yards gangway=\$62 47. Burns & M'Coy,  $14\frac{2}{3}$  yards gangway=54 66.

October, 1870—Nolan & Schultz,  $11\frac{1}{3}$  yards airway,  $66\frac{1}{3}$  yards gangway=\$366 97. Amount paid laborers unknown. Burns & M'Coy, 41 yards gangway=\$140 54. B. M'Nelins, 48 yards gangway=\$206 25. O'Neil & M'Nulty, 187 wagons=\$195 81. Donaldson & Billman, 483 wagons=\$434 36. Amount paid laborers unknown.

November, 1870—Nolan & Schultz,  $85\frac{1}{3}$  yards gangway=\$144 61. Billman & Donaldson,  $526\frac{1}{2}$  wagons=\$420 25. Amount paid labors unknown. J. Carr & Co.,  $466\frac{3}{4}$  wagons=\$381 15. Laborers' pay unknown. Murray & Scanlon, 258 wagons=\$192 54.

December, 1870—Nolan & Schultz, 85 yards gangway=\$360 01. Laborers' pay unknown. Murray and Scanlon, 273 wagons=\$215 44. Billman & Donaldson, 364 wagons=\$283 62.

The above is what each firm made during the month in which their names are placed. Then to get what each man would make, we must divide the firm earnings by the number of partners—some firms have as many as six partners, and some only three, and even less.

*Tide rates on coal transported over Lehigh Valley railroad from Mauch Chunk to Easton, forty-six miles.*

Year.	Month in which change took place.	Rate per ton per mile....	Total rate....	Year.	Month in which change took place.	Rate per ton per mile....	Total rate....
1856...	March .....	2.02	93	1865...	May .....	2.45	113
1857...	.....	2.02	93		July.....	2.45	113
1858...	December .....	1.78	82		September .....	2.91	134
1859...	April .....	1.23	56.6		October .....	3.37	155
	December ..	1.78	82	1866...	March .....	2.50	115
1860...	February .....	1.38	63.44		April .....	2.50	115
	April .....	1.38	63.44	1867...	March .....	1.76	81
	September .....	1.43	66	1868...	April 13.....	1.50	69
	November .....	1.37	63		August 17.....	1.76	81
	December.....	1.43	65.6		October 1 .....	2.00	92
1861...	April .....	1.30	60		November 1.....	2.26	104
	July .....	1.39	64	1869...	.....	2.26	104
	December.....	1.46	67		April 5.....	1.76	81
1862...	April .....	1.10	50.8		July 1.....	2.00	92
	May .....	1.45	66.9		July 19.....	2.26	104
	July .....	1.82	83.6		August 2.....	2.50	115
	November.....	2.00	92	1870...	January 10.....	2.04	94
	December.....	2.20	101.2		February 1.....	1.76	81
1863...	April .....	2.00	92		May 9.....	1.76	81
	June .....	2.20	101.2		August 1.....	1.82	84
	October .....	2.41	111		October 3 .....	1.76	81
	November.....	2.66	122.50		November 1.....	1.64	75.5
1864...	April 4. ....	2.20	101.2		December 1.....	1.56	72
	April 18.....	2.66	122.50		December 19.....	1.64	75.50
	July 11 .....	3.05	140.50	1871...	January 2.....	1.82	84
	August .....	3.37	155		February 16.....	4.00	184
1865...	April .....	2.45	113				



[COPY.]

STOCKTON, *Monday, June 20, 1870.*

MR. WILLIAM CARR:

DEAR SIR:—In order with the W. B. A., I write you the following: There is sixteen men working here that is non-union men; five at No. 1, four at No. 3, three at No. 5, and four at the stables.

At a meeting of the W. B. A. the following resolution was passed:

*Resolved*, If those men do not join our association between said date and Saturday night, June 25, a suspension will take place on Monday, June 27, 1870.

JOHN LLOYD, *President.*THOS. JAMES, *Secretary.*

[COPY.]

STOCKTON, *June 20, 1870.*

## NON-UNION MEN.

At No. 1.—James Hill, John Kein, James Hillhouse, Mike Sargent, William East.

At No. 3.—Samuel East, David Sevitchy, Henry Hebet, Rudolph Bur-overgrath.

At No. 5.—Edward Lewis, John East.

At stables.—Peter Hollore, Nathan Beltz, John Bitcher, Geo. Cotzman.



(1000)

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